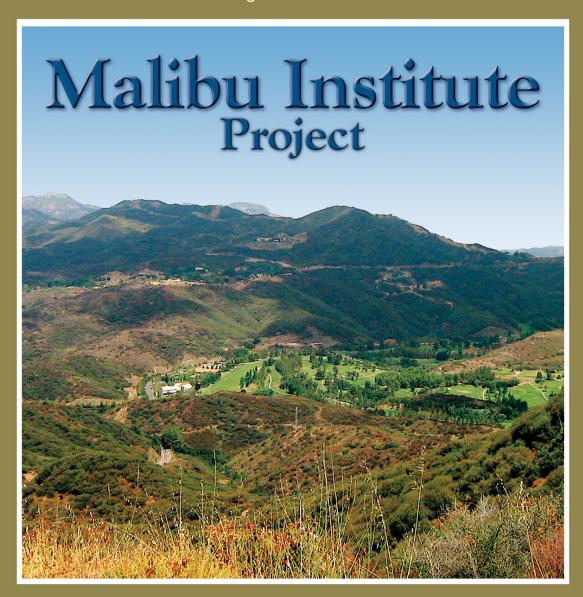
### Final Environmental Impact Report

State Clearinghouse No. 2012111068



Prepared For:

# **County of Los Angeles**Department of Regional Planning

320 West Temple Street Los Angeles, California 90012 Prepared By



4165 E. Thousand Oaks Blvd., Suite 290 Westlake Village, California 91362

(818) 879-4700

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### MALIBU INSTITUTE PROJECT FINAL ENVIRONMENTAL IMPACT REPORT

State Clearinghouse No. 2012111068

#### Prepared for:

#### **COUNTY OF LOS ANGELES**

Department of Regional Planning 320 W Temple Street, 13th floor Los Angeles, California 90012

#### Prepared by:

#### **ENVICOM CORPORATION**

4165 E. Thousand Oaks Blvd., Suite 290 Westlake Village, California 91362 Attn: Mr. Primo Tapia, Vice President 818-879-4700 Page intentionally blank

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#### 1.0 INTRODUCTION

This Final Environmental Impact Report (Final EIR) has been prepared by the County of Los Angeles as Lead Agency under the California Environmental Quality Act (CEQA). The County will use this EIR in consideration of requested approvals in connection with The Malibu Institute Project ("Project"). The Final EIR consists of responses to comments received on the Draft EIR (provided in Section 2.0) and the Draft EIR as modified in Section 3.0. Section 4.0 provides a Mitigation Monitoring and Reporting Program for all of the measures identified in the Final EIR.

#### 1.1 CONTENTS AND ORGANIZATION OF THE FINAL EIR

The Final EIR consists of the following four chapters:

- **Section 1.0 Introduction**. This chapter describes the purpose of the Final EIR and the organization and contents of this document.
- Section 2.0 Comments and Responses. This section provides responses to each of the written comments received during the public comment period on the Draft EIR (December 9, 2013 to February 7, 2014) and testimony provided at a public hearing before the Los Angeles County Hearing Examiner on December 16, 2014 at the Malibu Golf Club regarding the Draft EIR. Responses are also provided for written comments received after the close of the public comment period.
- Section 3.0 Draft EIR Revisions. This chapter includes revisions to the Draft EIR featuring minor changes and additions to the text in response to the comments received on the Draft EIR. Changes to the Draft EIR are shown in underline/strikethrough format.
- Section 4.0 Mitigation Monitoring and Reporting Program. The Mitigation Monitoring and Reporting Program (MMRP) is the document used by the enforcement and monitoring agencies responsible for the implementation of the proposed project's mitigation measures.

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## 2.0 RESPONSES TO COMMENTS RECEIVED ON THE DECEMBER 2013 DRAFT EIR

This section provides written responses to all comments received on the Draft EIR during its 60-day public review period from December 9, 2013 through February 7, 2014.

#### Written Comments Received from Federal, State, and Local Agencies

Comment	Commenter	
Letter No.		
1	Governor's Office of Planning and Research	
2	Native American Heritage Commission	
3	Los Angeles County Fire Department	
4	Los Angeles County Sheriff's Department	

#### Written Comments Received from Organizations

Comment	Commenter
Letter No.	
5	Malibu Chamber of Commerce
6	Resource Conservation District of the Santa Monica Mountains
7	University of Southern California

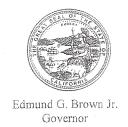
#### **Written Comments Received from Individuals**

Comment	Commenter
Letter No.	
8	Alessi, Antonio and Sara
9	Ali, AJ
10	Baird, James H.
11	Benya, Lisa
12	Bocchino, Kristine
13	Boyle, Patrick
14	Bucciarelli, Gary
15	Clark, Woodrow
16	Doak, Kevin
17	Drobnick, Lou
18	Farrer, Cameron
19	Farrer, Karen
20	Goodman, Bita
21	Goodman Kesselman, Cynthia
22	Gray, Summer
23	Hameline, Christine
24	Horns, Matt
25	Hoyt, Carol
26	Iglesias, Rodrigo
27	Johnson, Scott
28	Knight, John and Dorothy
29	Kozlowski, Matthew

- Laetz, Hans
- 31 Lagattuta, Rico
- 32 McCluskey, Tom
- 33 Meherin, Dan
- 34 Morris, Richard
- 35 Pennington, Jennifer
- 36 Peterson, Diane
- 37 Robertson, Ed
- 38 Rogers, John
- 39 Saline, Claire
- 40 Semler, Ronald
- 41 Stoker, Dermot
- 42 Sullivan, Tim
- 43 Sutherland, Shan
- 44 Tobias, Julie
- Tobias, Lester
- Winikoff, Cami

#### Oral Comments Received During the January 16, 2014 Hearing Examiner's Public Hearing

Horns, Matthew Sullivan, Tim



#### STATE OF CALIFORNIA

### Governor's Office of Planning and Research State Clearinghouse and Planning Unit



February 10, 2014

Carolina Blengini Los Angeles County Department of Regional Planning 320 West Temple Street, Room 1362 Los Angeles, CA 90012

Subject: The Malibu Institute - Project No. TR071735

SCH#: 2012111068

Dear Carolina Blengini:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 7, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan Director, State Clearinghouse

Enclosures

cc: Resources Agency

#### **Document Details Report** State Clearinghouse Data Base

SCH#

2012111068

Project Title

The Malibu Institute - Project No. TR071735

Lead Agency

Los Angeles County

Type

EIR

Draft EIR

Description

Note: 60 Day Review

The Project proposes to create a sports-oriented educational retreat affiliated with the University of Southern CA to complement a remodeled 18-hole golf course on a 650-acre property currently operated as the Malibu Golf Club in the unincorporated Malibu area of Los Angeles County. In total, the Project proposes to construct a combined 224,760 sf of structures, which would include the reuse of the building footprint of the existing 12,475 sf clubhouse and cart barn as part of the Institute building and the removal of 11,160 sf of existing structures (including the abandoned residence in the northern portion of the Project site), for a total increase of 201,225 sf of structures on the Project site. An existing 875-sf house located on the northern portion of the property would be retained by the proposed Project for use as a caretakers' residence. The reconfigured 18-hole golf course would be redesigned using the acreage of 17 of the existing holes on the golf course, allowing the proposed facilities, including the redesigned golf course, to be constructed within previously disturbed areas. The Project would conserve over 450 acres of native coastal scrub and chaparral, including oak woodland forest, which would be left undisturbed and would become permanently dedicated open space.

#### Lead Agency Contact

Name

Carolina Blengini

(213) 974-1522

Agency

Los Angeles County Department of Regional Planning

Phone

email Address

320 West Temple Street, Room 1362

City Los Angeles Fax

State CA Zip 90012

#### **Project Location**

County

Los Angeles

City Malibu

Region

Cross Streets

Encinal Canyon Road at Clubhouse Drive

Lat / Long

34° 05' 23" N / 118° 51' 21" W

Parcel No.

2058-015-003, 013, 037, 045

Township

Range 19W

2,3, Section

Base

#### Proximity to:

Highways

Hwy 23

Airports

Railways

Waterways

Trancas Canyon Creek

Schools

Land Use

R-R-1, A-1-1, A-1-20, and RPD-5-0.2-DP

#### Project Issues

Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Public Services; Recreation/Parks; Septic System; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects; Aesthetic/Visual; Air Quality

#### **Document Details Report** State Clearinghouse Data Base

Reviewing Agencies

Resources Agency; California Coastal Commission; Department of Conservation; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 7; Air Resources Board; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 4; Native American Heritage Commission

Date Received

12/10/2013

Start of Review 12/11/2013

End of Review 02/07/2014

### Response to Comment Letter No. 1 (Governor's Office of Planning and Research, State Clearinghouse and Planning Unit)

#### **Response to Comment 1-1**

This comment acknowledges the Project has complied with the State Clearinghouse review requirements for Draft EIRs pursuant to CEQA. The comment letter attaches a letter from the Native American Heritage Commission (NAHC) dated December 13, 2013. Comments from the NAHC are addressed in the response to the Comment Letter No 2, below.

#### NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Boulevard, Suite 100 West Sacramento, CA 95691 (916) 373-3715 Fax (916) 373-5471 Web Site www.nahc.ca.gov Ds\_nahc@pacbell.net e-mail: ds\_nahc@pacbell.net

December 13, 2013

DEC 1 6 2013

Ms. Carolina Blengini, Regional Planner

#### Los Angeles County Department of Regional Planning

320 West Temple Street, Room 1362 Los Angeles, CA 90012

RE: SCH#2012111068; CEQA Notice of Completion; draft Environmental Impact Report for the "Malibu Institute Project;" located in an unincorporated area, near the City of Malibu; Los Angeles County, California

Dear Ms. Blangini:

The Native American Heritage Commission (NAHC) has reviewed the above-referenced environmental document.

The California Environmental Quality Act (CEQA) states that any project which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Contact the appropriate Information Center for a record search to determine: If a part or all of the area of project effect (APE) has been previously surveyed for cultural places(s), The NAHC recommends that known traditional cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report (DEIR).

If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure pursuant to California Government Code Section 6254.10.

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the

2-1

proposed active might impinge on any cultural resources. Lack of surface evidence of archeological resources does not preclude their subsurface existence.

2-3

California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People... with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies" and Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

2-4

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f).

2-5

Lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a). Then if the project goes ahead then, lead agencies include in their mitigation and monitoring plan provisions for the analysis and disposition of recovered artifacts, pursuant to California Public Resources Code Section 21083.2 in consultation with culturally affiliated Native Americans.

2-6

Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Dave Singleton Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

#### **Native American Contacts** Los Angeles County California December 13, 2013

LA City/County Native American Indian Comm

Beverly Salazar Folkes

1931 Shadybrook Drive Thousand Oaks, CA 91362

folkes9@msn.com

805 492-7255

(805) 558-1154 - cell folkes9@msn.com

Chumash Tataviam Ferrnandeño

Chumash

Chumash

Barbareno/Ventureno Band of Mission Indians Julie Lynn Tumamait-Stennslie, Chair

365 North Poli Ave

, CA 93023

Oiai itumamait@sbcglobal.net

(805) 646-6214

Chumash

mupaka@gmail.com (805) 472-9536 phone/fax

, CA 93426

48825 Sapaque Road

Ron Andrade, Director

(213) 351-5324

Owl Clan

Bradlev

Qun-tan Shup

(213) 386-3995 FAX

3175 West 6th St, Rm. 403

randrade@css.lacounty.gov

Los Angeles , CA 90020

(805) 835-2382 - CELL

Patrick Tumamait

992 El Camino Corto

, CA 93023 Ojai

(805) 640-0481

(805) 216-1253 Cell

Randy Guzman - Folkes 4676 Walnut Avenue

Simi Valley , CA 93063 ndnRandy@yahoo.com

(805) 905-1675 - cell (805) 520-5915-FAX

Chumash Fernandeño

Chumash

Tataviam

Chumash

Shoshone Paiute

Yaqui

San Luis Obispo County Chumash Council

Chief Mark Steven Vigil

1030 Ritchie Road

Grover Beach CA 93433

(805) 481-2461

(805) 474-4729 - Fax

Coastal Band of the Chumash Nation

Michael Cordero, Chairperson

P.O. Box 4464

Santa Barbara CA 93140 CbcnTRIBALCHAIR@gmail.com

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

his list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012111068; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Malibu Institute Project; located near the City of Malibu; Los Angeles County, California.

# Native American Contacts Los Angeles County California December 13, 2013

2

Melissa M. Parra-Hernandez
119 North Balsam Street Chumash
Oxnard CA 93030
envyy36@yahoo.com
805-983-7964
(805) 248-8463 cell

Barbareno/Ventureno Band of Mission Indians Raudel Joe Banuelos, Jr. 331 Mira Flores Court Chumash Camarillo , CA 93012 805-987-5314

Frank Arredondo
PO Box 161 Chumash
Santa Barbara CA 93102
ksen\_sku\_mu@yahoo.com

Coastal Band of the Chumash Nation Janet Darlene Garcia P.O. Box 4464 Chumash Santa Barbara CA 93140 805-689-9528

Santa Ynez Tribal Elders Council Freddie Romero, Cultural Preservation ConsInt P.O. Box 365 Chumash Santa Ynez , CA 93460 805-688-7997, Ext 37 freddyromero1959@yahoo. com Coastal Band of the Chumash Nation Crystal Baker P.O. Box 723 Chumash Atascadero , CA 93423 805-466-8406

Barbareno/Ventureno Band of Mission Indians Kathleen Pappo 2762 Vista Mesa Drive Chumash Rancho Pales Verdes CA 90275 310-831-5295

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

his list sonly applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012111068; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Malibu Institute Project; located near the City of Malibu; Los Angeles County, California.

#### Response to Comment Letter No. 2 (Native American Heritage Commission)

In general, comments from the Native American Heritage Commission (NAHC) require actions to comply with CEQA Guidelines Section 15064.5(b) regarding archaeological resources and mitigation of any potential project-related impacts. The Draft EIR discusses these issues in Section 5.4, Cultural Resources, of the Draft EIR with further discussion in *A Phase I Cultural Resources Evaluation for The Malibu Institute Project, County of Los Angeles, California* dated January 15, 2013 ("Cultural Resources Evaluation"), which is included as Appendix C of the Draft EIR.

#### **Response to Comment 2-1**

This comment recommends the County contact the appropriate Information Center for a record search to determine if the Area of Project Effect (APE) has been previously surveyed for cultural places. The comment recommends that known cultural resources within or near the APE be listed in the Draft EIR.

Page 8 of the Cultural Resources Evaluation, which is included as Appendix C of the Draft EIR, details the results of a record search conducted at the South Central Coastal Information Center (SCCIC) located at California State University Fullerton on October 1, 2012. The record search indicated two archaeological sites lie within the Project site boundaries, CA-LAN-527 and CA-LAN-528, but site-specific records for these sites were not available from the SCCIC. The Draft EIR lists and discusses these cultural resources on page 5.4-4. Further discussion of cultural resources is included in Section 5.4, Cultural Resources, of the Malibu Institute Draft EIR.

#### **Response to Comment 2-2**

Additional field surveys were conducted for the Project. A professional report by the Historical Environmental Archeological Research Team (H.E.A.R.T.) detailing the findings and recommendations of the records search and field surveys is provided in Appendix C of the Draft EIR. Coordination with the NAHC is discussed on page 5.4-5 of the Draft EIR.

#### **Response to Comment 2-3**

The Lead Agency sent NAHC the November 19, 2012 Notice of Preparation (NOP) documents for the Project. At that time, the NAHC provided a list of Native American Contacts for consultation. The Lead Agency sent the NAHC and the Native American Contacts provided by the NAHC the subsequent December 11, 2012 NOP documents for this Project, which provided notification of an extension of the review and comment period. No comments were received from those Native American tribes or individuals. The NAHC sent another comment letter dated January 16, 2013, which is provided on page 142 of Appendix A of the Draft EIR. A Notice of Completion and Availability (NOC/NOA) of the Draft EIR was sent to all Native American Contacts referenced above at the start of the public review period. The Lead Agency was contacted by Freddie Romero of the Santa Ynez Tribal Elders Council, who suggested four Native American contacts that were closer to the Project site. Three of the contacts had been sent notification materials previously and the fourth, the Wishtoyo Foundation, was sent a NOC/NOA on January 13, 2014. No comments were received from the Native American Contacts.

#### **Response to Comment 2-4**

As discussed on page 5.4-14 of the Draft EIR, the Project is not anticipated to impact archaeological resources. Nevertheless, Mitigation Measure MM5.4-3 requires the identification and evaluation of any archaeological resources discovered during the construction process. Furthermore, in the event

archaeological resources are uncovered, archaeological and Native American monitoring would be provided thereafter for any ground-disturbing activities within the boundary of the archaeological site. The archaeologist would prepare a final report, which would include documentation of the resources recovered, a full evaluation of the eligibility with respect to the California Register of Historical Resources, and treatment of the resources recovered.

#### **Response to Comment 2-5**

The Project would not impact to the two known archaeological sites within the Project site boundaries, CA-LAN-527 and CA-LAN-528. See Response to Comment 2-4 above. MM5.4-3 addresses provisions for the analysis and handling of potentially present recovered artifacts including Native American monitoring in the event of a find.

#### **Response to Comment 2-6**

As discussed on page 5.4.14 of the Draft EIR, the Project is not anticipated to impact archaeological resources, including the disturbance of Native American remains. Nevertheless, MM5.4-4 addresses the unanticipated discovery of human remains during construction of the Project. Pursuant to CEQA Guidelines Section 15064.5(e), the process to be followed in the event of an accidental discovery of any human remains includes the cessation of all ground disturbing activities in the area and notification of the County Coroner. If the Coroner determines the remains are of Native American descent, the Coroner must notify the NAHC within 24 hours. Additional steps in the notification process are detailed in MM5.4-4.

These comments are acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

# OCALIFORNIA OF ARTIMENT

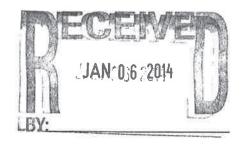
#### **COUNTY OF LOS ANGELES**

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY FIRE CHIEF FORESTER & FIRE WARDEN

December 31, 2013



Carolina Blengini, Planner Department of Regional Planning Special Projects Section 320 West Temple Street Los Angeles, CA 90012

Dear Ms. Blengini:

DRAFT ENVIRONMENTAL IMPACT REPORT, PROJECT NO. TR071735-(3), CONDITIONAL USE PERMIT NO. 201100122, ENVIRONMENTAL REVIEW NO. 201100192, "THE MALIBU INSTITUTE PROJECT," TO CREATE A SPORTS-ORIENTED EDUCATIONAL RETREAT AFFILIATED WITH THE UNIVERSITY OF SOUTHERN CALIFORNIA TO COMPLEMENT A REMODELED 18-HOLE GOLF COURSE, 901 ENCINAL CANYON ROAD, MALIBU (FFER #201300211)

The Draft Environmental Impact Report has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

#### **PLANNING DIVISION:**

#### **5.11 PUBLIC SERVICES**

#### **5.11.1.1 Existing Conditions**

The first paragraph under this section should be corrected as follows:

This section describes existing wildfire hazards in and around the Project site, and fire protection/emergency services provided by The Los Angeles County Fire Department

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS ARTESIA AZUSA BALDWIN PARK BELL BELL GARDENS BELLFLOWER BRADBURY CALABASAS CARSON CERRITOS CLAREMONT COMMERCE COVINA CUDAHY DIAMOND BAR DUARTE EL MONTE GARDENA GLENDORA HAWAIIAN GARDENS HAWTHORNE

HIDDEN HILLS HUNTINGTON PARK INDUSTRY INGLEWOOD IRWINDALE LA CANADA FLINTRIDGE LA HABRA LA MIRADA LA PUENTE LAKEWOOD LANCASTER LAWNDALE LOMITA LYNWOOD MALIBU MAYWOOD NORWALK PALMDALE PALOS VERDES ESTATES PARAMOUNT PICO RIVERA

POMONA RANCHO PALOS VERDES ROLLING HILLS ROLLING HILLS ESTATES ROSEMEAD SAN DIMAS SANTA CLARITA SIGNAL HILL SOUTH EL MONTE SOUTH GATE TEMPLE CITY WALNUT WEST HOLLYWOOD WESTLAKE VILLAGE WHITTIER

Carolina Blengini, Planner December 31, 2013 Page 2

(LACFD), which oversees fire prevention requirements for developments and provides firefighting and ambulance services paramedic services (non-transport); patient transport to a hospital is provided by a private ambulance company within the Project vicinity.

3-1

#### 5.11.1.4 Project Impacts

Paragraph 9, sentences 6 and 7 should be updated as follows:

3-2

The County of Los Angeles adopted an updated Developer Fee Program for the benefit of the Consolidated Fire Protection District November 27, 2012 26, 2013, to be effective February 1, 2013 2014. The newly adopted current D developer F fee Program for Area of Benefit 1 will provides for the collection of \$0.9292 \$0.8990 per square foot for new floor area development.

LAND DEVELOPMENT UNIT:

1. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants.

3-3

This property is located within the area described by the County of Los Angeles Fire Department as Very High Fire Hazard Severity Zone (VHFHSZ). All applicable fire code and ordinance requirements for brush clearance and fuel modification must be met.

3-4

The Fire Prevention Division, Land Development Unit, has previously prepared comments and set requirement for this project (FFER 201200138, FFER 201200169, FFER 201300098, FFER 201300105, FFER 201300142, FFER 201300170 and TTM 71735). Those comments and requirements have not changed at this time.

3-5

4. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department, Land Development Unit Inspector, Juan Padilla, at (323) 890-4243, or at Juan.Padilla@fire.lacounty.gov.

#### FORESTRY DIVISION - OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered

Carolina Blengini, Planner December 31, 2013 Page 3

3-6

- species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.
- 2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division, have been addressed.

3-7

#### **HEALTH HAZARDOUS MATERIALS DIVISION:**

1. The Health Hazardous Materials Division has no objection to the proposed project.

3-8

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

Frank Nidl

FRANK VIDALES, CHIEF, FORESTRY DIVISION PREVENTION SERVICES BUREAU

FV:jl

#### Response to Comment Letter No. 3 (Los Angeles County Fire Department)

#### **Response to Comment 3-1**

This comment clarifies the County Fire Department (CFD) provides non-transport paramedic services and private ambulance companies provide patient transport. Page 5.11.1-1 of the Draft EIR will be revised as follows:

This section describes existing wildfire hazards in and around the Project site, and fire protection/emergency services provided by The Los Angeles County Fire Department (LACFD), which oversees fire prevention requirements for developments and provides firefighting and ambulance services paramedic services (non-transport); patient transport to a hospital is provided by a private ambulance company within the Project vicinity.

#### **Response to Comment 3-2**

This comment revises language regarding the County-adopted and updated Developer Fee Program. Page 5.11-12 of the Draft EIR will be revised as follows:

The County of Los Angeles adopted an updated Developer Fee Program for the benefit of the Consolidated Fire Protection District November 27, 2012 26, 2013, to be effective February 1, 2013 2014. The newly adopted current Developer Fee developer fee Program for Area of Benefit 1 will provides provide for the collection of \$0.9292 \$0.8990 per square foot for new floor area development.

Furthermore, additional references to the Developer Fee Program on pages 1-61 and 5.7-13 to 5.7-15 will be revised with the above language.

#### **Response to Comment 3-3**

This comment states the Project must comply with all applicable fire code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants. For this reason, Mitigation Measure 5.11.1-2 is provided on page 5.11-14 of the Draft EIR, and states:

MM5.11.1-2 The Project shall comply with the applicable Uniform Fire Code (UFC) and LACFD ordinance requirements for development located in high fire danger areas regarding the following: building construction methods and materials; the ease of site access; the adequacy of water mains to maintain adequate fire-flow pressures and volumes; the location and numbers of fire hydrants; the use of indoor sprinklers and sensors; the revegetation of all manufactured slopes with fire retardant (native) landscaping; and brush clearance

#### **Response to Comment 3-4**

This comment states the Project must comply with all applicable fire code and ordinance requirements for brush clearance and fuel modification for projects in a Very High Fire Hazard Severity Zone (VHFHSZ). As stated in Mitigation Measure 5.11.1-2, above, the Project would comply with the applicable Uniform Fire Code (UFC) and CFD ordinance requirements for development located in high fire danger areas, including revegetation of all manufactured slopes with fire retardant (native) landscaping, and brush clearance. The CFD approved the Project's preliminary fuel modification plan, which is included in Appendix I of the Draft EIR.

#### **Response to Comment 3-5**

This comment is noted for the record and will be forwarded to the decision-makers for their review and consideration.

#### **Response to Comment 3-6**

This comment states the statutory responsibilities of the CFD, Forestry Division. This comment is noted for the record and will be forwarded to the decision-makers for their review and consideration.

#### **Response to Comment 3-7**

This comment states that areas of the Project subject to the statutory responsibilities of the Forestry Division have been addressed. This comment is noted for the record and will be forwarded to the decision-makers for their review and consideration.

#### **Response to Comment 3-8**

This comment expresses that the Health Hazardous Materials Division has no objection to the proposed Project. This comment is noted for the record and will be forwarded to the decision-makers for their review and consideration.



# County of Los Angeles Sheriff's Department Headquarters



4700 Ramona Boulevard Monterey Park, California 91754-2169

February 6, 2014

FEB 1 8 2014

Mr. Richard Bruckner, Director of Planning Department of Regional Planning 320 West Temple Street Los Angeles, California 90012

Attention: Ms. Carolina Blengini

Dear Mr. Bruckner:

# REVIEW COMMENTS DRAFT ENVIRONMENTAL IMPACT REPORT MALIBU INSTITUTE PROJECT COUNTY PROJECT NO. TR071735-(3)

The Los Angeles County Sheriff's Department (Department) submits the following review comments on the Draft Environmental Impact Report (DEIR), dated December 9, 2013, for the Malibu Institute Project (Project). The proposed Project is located at 901 Encinal Canyon Road, in a rural area of the Santa Monica Mountains. The proposed Project will create a sports-oriented educational retreat to complement an existing, remodeled golf course. The proposed Project will demolish certain existing buildings and construct various new buildings, resulting in a net increase of 201,225 square feet over the existing development.

The DEIR for the proposed Project was reviewed by the Department's Malibu/Lost Hills Station (Station). The Station's review comments are attached hereto (see correspondence, dated January 24, 2014, from Captain Patrick Davoren). In summary, the Station does not expect the proposed Project to have a significant impact on the Department's resources and operations. However, the relatively remote location of the proposed Project site could affect the Station's response times to calls for service.

Also, DEIR Section 5.11, *Public Services*, contains a brief description of Los Angeles County Code Section 22.74.030, *Law Enforcement Facilities Fees* (see page 5.11-16). It is the understanding of the Department that such law enforcement facilities fees are only applicable to new development in the Santa Clarita, Newhall, and Gorman areas. Since the proposed Project site is not within these areas, the proposed Project will not

A Tradition of Service Since 1850

4-1

generate any law enforcement facilities fees, and this discussion should therefore be deleted from the DEIR.

Thank you for including the Department in the environmental review process for the proposed Project. Should you have any questions of the Department regarding this matter, please contact Lester Miyoshi, of my staff, at (626) 300-3012, and refer to Facilities Planning Bureau Project No. E13-082. You may also contact Mr. Miyoshi via email, at LHMiyosh@lasd.org.

Sincerely,

JOHN L. SCOTT, SHERIFF

Gary T.K. Tse, Director Facilities Planning Bureau

Mr. Bruckner

-3-

February 6, 2014

#### GTKT:LM:lm/mm

#### Attachment

c: Patrick S. Davoren, Captain, Malibu/Lost Hills (LHS) Station Brad L. Johnson, Sergeant, LHS Station Meghan Wang, Principal Facilities Project Manager, FPB Lester Miyoshi, Departmental Facilities Planner, FPB Chrono (EIR-Malibu Institute Project)

FROM:

#### COUNTY OF LOS ANGELES

#### SHERIFF'S DEPARTMENT

"A Tradition of Service"

Office Correspondence

DATE: January 23, 2014

**FACILITIES PLANNING BUREAU** 

FILE NO:

Paties. Davour

PATRICK S. DAVOREN, CAPTAIN MALIBU/LOST HILLS STATION

TO: GARY T. K. TSE, DIRECTOR

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MALIBU INSTITUTE PROJECT

The Malibu/Lost Hills Station (Station) reviewed the Draft Environmental Impact Report (DEIR), dated December 9, 2013, for the Malibu Institute Project (Project). The proposed Project is the construction and operation of a sports-oriented educational retreat associated with a remodeled golf course on a 650-acre property in the Santa Monica Mountains. In total, the proposed Project will construct 224,760 square feet of meeting rooms, classroom facilities, overnight guest accommodations, ancillary uses, and various other on-site amenities.

Section 5.11 of the DEIR (see Page 5.11-15) contains various information about the Station (location, staffing, service area/population, average response times to calls for service, our preliminary assessment of the proposed Project's expected impact on the Station's resources and operations, etc.). According to the DEIR, the information was obtained from discussions with Station personnel in 2012, and review comments prepared by the Station in 2013 on the Project's Screencheck Draft Environmental Impact Report. The Station does not dispute the accuracy of this information, nor do we object to the use of this information in environmental documents prepared for the proposed Project. However, when doing so, the sources of this information must continue to be properly cited in case further confirmation and/or clarification by the Station or LASD become necessary.

Also, according to Sections 5.11.2.4 and 5.11.2.5 of the DEIR (see Pages 5.11-16 and 5.11-17, respectively), the proposed Project is not expected to present any unique law enforcement problem, or result in any significant short-term or cumulative impact to the provision of law enforcement services. The Station generally concurs with this assessment because the proposed Project is already with the Station's service area, and the proposed Project will not significantly increase the daily visitor population therein. However, due to the relatively remote location of the proposed Project site, we expect our response times to calls for service to be measurably longer than those for urban communities within our service area. As such, close attention must be afforded to emergency management preparations by the Project owner/operator.

4-2

The Station has no other comment to submit at this time, but we reserve the right to do so during subsequent reviews of the proposed Project.

Thank you for including the Station in the environmental review process for the proposed Project. Should you have any questions of the Station regarding this matter, please contact Sergeant Brad L. Johnson, at (818) 878-5555, or by email at B1Johnso@lasd.org.

PSD:bj

#### Response to Comment Letter No. 4 (Los Angeles County Sheriff's Department)

#### **Response to Comment 4-1**

This comment provides a summary evaluation indicating that the Project would not be expected to have a significant impact on CSD resources and operations; however, due to the relatively remote location of the Project, response times could be affected. The comment also notes that Law Enforcement Facilities Fees referred to in the Draft EIR would not apply to the Project, as those fees only apply to new development in areas of the County that do not include the Project site. Accordingly, the Regulatory Setting Section on page 5.11-16 of the Draft EIR will be revised as follows.

#### Los Angeles County Code

Section 22.74.030 of Chapter 22.74, Law Enforcement, of the County Code imposes a law enforcement facilities mitigation fee on new residential, commercial, office, and/or industrial development projects. The amount of the fee is based upon the findings and conclusions set forth in the "Santa Clarita-North Los Angeles County Law Enforcement Facilities Fee Study, October 29, 2007," and shall not exceed the reasonable cost of providing law enforcement facilities for such residential, commercial, office and/or industrial development projects. It is a uniform fee within each law enforcement facilities fee zone based on the estimated cost of providing the projected law enforcement facility needs in each such zone.

#### **Response to Comment 4-2**

This comment is noted for the record and will be forwarded to the decision-makers for their review and consideration. The footnotes on pages 5.11-15 and 5.11-17, have been revised to state:

Email Communication from Sgt. Phillip D. Brooks, LACSD to Envicom Corporation, October 9, 2012.

#### **Response to Comment 4-3**

The comment states that due to the remote location of the Project site, response times to calls for service would be longer than in urban communities. As such, close attention to emergency management preparations must be afforded by the Project. To ensure the Project has adequate emergency management preparations, the Project will develop an emergency management plan prior to operation. This plan will provide emergency guidance for guests and employees prior to the arrival of first responders. A discussion of the emergency management plan will be provided in the last paragraph of Sections 5.11.1.4 and 5.11.2.4, which will be amended as follows:

#### Section 5.11.1.4 (last paragraph)

Due to the remote location of the Project site, response times for emergency services could be affected; therefore, the Project will develop an emergency management plan to guide an orderly response to an emergency situation prior to the arrival of first responders. The plan will be distributed to guests and employees and will provide contact information for on-site personnel to assist with emergencies and provide the locations of on-site first aid supplies. The plan will detail routes for an orderly evacuation of the Project's structures and grounds as well as detail other safety options such as shelter-in-place strategies where appropriate. Additionally, the emergency management plan will discuss various potential emergency situations and responses; these include: medical emergencies, earthquakes, flooding/water damage, power outages, and civil unrest/active shooter scenarios. This plan will be finalized and the information will be made available on-site at strategic locations and prior to Project operation.

#### Section 5.11.2.4 (last paragraph)

Additionally, no unique law enforcement problems are anticipated. The Project would not result in unique law enforcement problems; however, due to the remote location, response times for emergency services could be affected. Therefore, the Project will develop an emergency management plan to guide an orderly response to an emergency situation prior to the arrival of first responders. The plan will be distributed to guests and employees and will provide contact information for on-site personnel to assist with emergencies and provide the locations of on-site first aid supplies. The plan will detail routes for an orderly evacuation of the Project's structures and grounds as well as detail other safety options such as shelter-in-place strategies where appropriate. Additionally, the emergency management plan will discuss various potential emergency situations and responses; these include: medical emergencies, earthquakes, flooding/water damage, power outages, and civil unrest/active shooter scenarios. This plan will be finalized and the information will be made available on-site at strategic locations and prior to Project operation.



Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

February 5, 2014

RE: Malibu Institute Project #201100192

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#### **Honorary**

Captain Patrick S. Davoren Captain Todd Watkins

#### **Executive Director**

Mark Persson

Dear Ms. Blengini,

I would like to give my support of the proposed Malibu Institute project. The developer has given special attention to all concerns throughout this project. In short, I have not heard of a concern that the developer has not addressed. There are several added benefits that the project will give to our community. I've listed a few below that I think are the most relevant to me and my constituents.

They are:

- Numerous environmentally conscious considerations including tertiary sewer treatment system, water pervious parking lot, energy efficient construction, Dark Sky lighting, installation of solar arrays, and water conservation and re-use.
- Increasing the number of overnight accommodations options.
- An increase in the available meeting and convention space.
- Maintaining a cherished out-door activity for our youth.

I hope that you join me in supporting the project. I am happy to discuss the project with you further. You can reach me at 310-456-9025.

Sincerely,



Mark Persson
Executive Director
Malibu Chamber of Commerce

#### Response to Comment Letter No. 5 (Malibu Chamber of Commerce)

#### **Response to Comment 5-1**

This comment expresses support for the Project, notes that all Project concerns have been addressed, and lists benefits the community derives from the Project. This comment is noted for the record and will be forwarded to the decision-makers for their review and consideration.



818.597.8627 818.597.8630 info@rcdsmm.org phone fax

30000 Mulholland Highway, Agoura Hills, CA 91301 Mail: PO Box 638, Agoura Hills, CA 91376-0638



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7 February 2014

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#### **EXECUTIVE OFFICER**

Clark Stevens

Re: Malibu Institute NOP

Dear Carolina Blengini,

The Resource Conservation District of the Santa Monica Mountains (RCDSMM) appreciates the opportunity to comment on the DEIR of the proposed Malibu Institute Project. As a reviewing and resource agency in the Santa Monica Mountains, the RCDSMM is actively involved in monitoring sensitive species and local restoration and education efforts. We are presently working with the National Park Service and the landowner of the seven-acre parcel containing the remnant Trancas Lagoon north of Pacific Coast Highway to conduct a feasibility study to direct lagoon restoration. Restoration of fish passage in lower Trancas Creek is in the planning stages.

Most of our specific comments were provided as part of the scoping meeting held at the Malibu Golf Course on 10 December 2012 and in a follow up letter submitted on 20 December 2012. Review of the DEIR 2013 indicates that although the project incorporates many commendable elements, it failed to include an alternative that includes a) reduction of the overall built footprint which is more compatible with the remote nature of the site, and b) includes restoration of a functional stream and riparian corridor through the proposed golf course. Alternative 4 provided does not realistically address either of these concerns.

The headwaters of Trancas Creek were buried when the golf course was built in the 1970's and the loss of habitat for several aquatic sensitive and now endangered species, as well as degradation of water quality downstream has been the 40-year legacy of that action.

The re-designed golf course has a rare opportunity to not only improve water quality downstream but also restore functionality and habitat to a significant reach of Trancas Creek. While this may require additional grading to remove some of the fill that currently buries the creek channel, we suggest that the added public benefit of having a functional creek within the golf course outweighs the restorative grading impacts. Analysis of this alternative should be incorporated into the design in a meaningful way.

6-1



While the mitigations proposed related to dewatering the existing ponds and eradicating invasive plant and animal species on the property and protection of the sensitive species proposed is laudable, it falls short of the potential public benefit that could be achieved by daylighting the stream as it moves from the headwaters, through the golf course and downstream into Trancas Creek.

6-2

A recurring theme at the scoping meeting in December 2012 was that the current users place high value on the wildness of the surrounding open space, commenting on how much they appreciate the opportunity to both play golf AND experience the local wildlife. Restoring a functional stream channel within the golf course would exponentially increase this unique opportunity.

6-3

Intense effort is being expended to restore migratory passage opportunities for southern steelhead trout at the mouth of Trancas Creek. The majority of the watershed is public open space within the Santa Monica Mountains National Recreation Area. Developing a public golf course that is integrated with the surrounding natural ecosystem and restores access for the trout and other aquatic species to the headwaters of Trancas Creek would achieve multiple benefits and set a model for integrated recreational and ecological compatibility. Although the CalTrout (2006) report identifies a natural waterfall downstream of the property as the upstream limit of anadromy, we have observed that in other Santa Monica Bay creeks, these limits may be relative to flow conditions, and that passage upstream can be achieved under peak storm events.

6-4

However, even if trout can only rarely access the property, restoring a functional creek would provide significant benefits to the other species of special concern currently present on the property as well.

6-5

We greatly appreciate the thoughtful concerns and efforts on the part of the Malibu Institute to move in a more environmentally sensitive direction. The opportunity to be a true leader in creek restoration, as well as provide the public recreational services envisioned are not mutually exclusive and we urge the Institute to expand their restoration effort.

Sincerely,

Clark Stevens

**Executive Officer** 

With Rosi Dagit, Senior Conservation Biologist

# Response to Comment Letter No. 6 (Resource Conservation District of the Santa Monica Mountains)

# **Response to Comment 6-1**

The comment indicates that the Resource Conservation District (RCD) of the Santa Monica Mountains is actively working with the National Park Service and a landowner of a parcel that contains the remnants of Trancas Lagoon north of Pacific Coast Highway on studying the feasibility of lagoon restoration. The study will also look into the feasibility of planning a restoration of fish passage into lower Trancas Creek. This comment is noted for the record and will be forwarded to the decision-makers for their review and consideration.

# Response to Comment 6-2

The comment states that most of the comments from the RCD were submitted during the scoping process. The comment also states the Draft EIR failed to include an alternative that considered 1) a reduction in overall built footprint and 2) restoration of a functional stream and riparian corridor through the proposed golf course. The comment requests analysis of an alternative that includes restoration of a functional stream and riparian corridor through the proposed golf course. The Draft EIR includes a discussion of two alternatives that address this comment. Alternative 4 – Reduced Footprint – considers a reduction in the proposed building footprint by removing the bungalows on the former helipad site and replacing six of the single-bungalow units with double-bungalow units. As detailed in the Draft EIR, Alternative 4 would not meet a key objective of the Project, which is to provide a remodeled golf facility that minimizes off-site view impacts while also providing unimpeded views of the natural portions of the Santa Monica Mountains. Alternative 3 – Original Malibu Institute Project (2011) – considers a reduction in the developed area of the golf course from 18 holes to 6 holes and restoration of approximately 40 acres of the Trancas Creek headwaters, which would include daylighting some of the culverted portions of the channel. As detailed in the Draft EIR, Alternative 3 would not meet a key objective of the project, which is to provide a state-of-the-art 18-hole golf course. Any other reasonable design alternative involving a fully restored and naturally functioning stream with a riparian buffer passing through the golf course would fail to meet this key objective. Pages 6-16 through 6-25 of the Draft EIR describe Alternatives 3 and 4 in further detail, analyze potential impacts, and consider the relationship of these alternatives to project objectives.

The building footprint for the Project represents a reduction of 402,144 square feet compared to Alternative 3. Alternative 3 proposes 626,904 square feet of total new development compared to the total 224,760 square feet proposed by the Project. The reconfigured 18-hole golf course would be redesigned using the acreage of 17 of the existing holes, allowing the proposed facilities, including the redesigned golf course, to be constructed within previously disturbed areas. The redesigned golf course would incorporate features to minimize demand for water resources and maximize efficiency. The Project would maximize the beneficial use of reclaimed water by recycling 44.81 AFY through an Onsite Wastewater Treatment System (OWTS) for reuse to irrigate the golf course. The Project would reduce the demand for potable water supplied by the Las Virgenes Municipal Water District (LVMWD) from the existing level of 287.2 AFY to 194.21 AFY, a reduction of over 32 percent. Impacts to public wastewater infrastructure would be avoided because wastewater would be collected, treated, and recycled onsite. The Project would reduce the amount of existing turf area from approximately 85 acres to 62 acres, use turf grasses with drought-resistant properties to reduce irrigation demand, sand-cap the course for optimum growing conditions and filtration, and remove nonnative landscaping from areas surrounding the golf course playing area, which would be re-vegetated with drought-tolerant native trees and shrubs. As the

Project would reduce impacts to less than significant levels, there are no significant impacts that would otherwise be reduced to less than significant through the selection of an alternative.

As indicated in the comment, the portion of the Trancas Creek within the existing golf course was placed in underground culverts during construction of the golf course in the 1970s. As such, the existing condition of the golf course has the creek in underground culverts. As proposed, the Project would significantly improve the portion of Trancas Creek that passes through the golf course. Daylighting would occur to a section of the existing culverted Trancas Creek, including realigning and extending an existing 275-foot long open channel section to create a total of 740 feet of open channel in the northern portion of the site. The Project would create a new approximately 800-foot long open channel feature in the southern portion of the golf course. The Project also would restore habitats at the existing golf course ponds, which are hydrologically connected with Trancas Creek. The golf course ponds would be temporarily dewatered to eradicate invasive animals and vegetation and sediment would be removed to improve functional capacity and remove any toxins such as pesticides and herbicides that may have accumulated in bottom sediments. The ponds then would be refilled and replanted with native vegetation. The daylighted stream channel and restored ponds would provide new and improved habitat for native species. Restoration of the ponds and eradication of invasive species also would improve downstream water quality and other aquatic habitats in the watershed.

#### **Response to Comment 6-3**

The comment suggests restoring a functional stream channel would exponentially increase the opportunity to experience local wildlife while playing golf. As proposed, the Project would provide opportunities for viewing wildlife. Specifically, the Project would retain and restore the golf course ponds, extend a daylighted section of Trancas Creek, create a new pond and stream channel, replace hundreds of non-native trees with native trees, replace non-native landscaping with native landscaping, and transfer over 450 acres of natural habitats surrounding the golf course to the National Park Service to protect these areas from development and preserve them as permanent open space. As a result of these Project elements, the Project would increase the habitat value of the site to native wildlife and would increase opportunities for viewing wildlife.

#### **Response to Comment 6-4**

The comment suggests creek restoration through the site would improve migratory passage opportunities for southern steelhead trout to the headwaters of Trancas Creek. The Draft EIR discusses the restoration of migratory passage opportunities for southern steelhead trout and determines the Project site is beyond the limit of anadromy due to the presence of the natural waterfall barrier citied in the CalTrout (2006) report, as discussed on pages 5.3-29 and 5.3-30 of the Draft EIR.

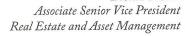
The comment also suggests the limits of anadromy may be relative to flow conditions and anadromous fish may achieve upstream passage during peak storm events. The comment references examples where the presumed limits of anadromy have been surpassed in other Santa Monica Bay creeks under peak storm events. However, the comment does not specify the creeks to which the comment refers and the specific limits of anadromy in these cases in order to form a basis for comparison to the natural waterfall in Trancas Canyon Creek. As discussed in the Project's Biota Report, included as Appendix D1 in the Draft EIR, the natural waterfall within Trancas Creek is located approximately one mile downstream of the Project site and is nearly three meters in height and located above a bedrock cascade. According to the CalTrout (2006) report, this waterfall precludes the upstream migration of anadromous fish to the upper Trancas Canyon Watershed, and is considered the absolute natural limit to upstream steelhead migration in the watershed.

The comment mentions intense effort is being expended to restore migratory passage opportunities for southern steelhead trout at the mouth of Trancas Creek. The restoration efforts of the Project to remove invasive species and potentially contaminated bottom sediments within the existing golf course ponds would have a beneficial impact on water quality and aquatic habitats downstream from the Project site as these conditions would no longer be washed downstream during storm events. Accordingly, the Project's restoration efforts would improve conditions for potential future restoration of southern steelhead trout habitat in the lower reaches of Trancas Creek.

#### **Response to Comment 6-5**

The comment suggests creek restoration would provide significant benefits to species of special concern currently present on the property. The only aquatic species of special concern confirmed present at the Project site is the western pond turtle. While the creek restoration suggested by the comment would benefit the western pond turtle, the Project's proposed restoration of the ponds and the addition of other aquatic habitats also would benefit this species. For example, the proposed pond restoration would include the removal of non-native predatory fish that prey on juvenile turtles and modification of the ponds' banks would facilitate the turtles exit from the ponds for basking and reproduction.

LAURIE STONE





January 29, 2014

Honorable Don Knabe County Board of Supervisors 822 Kenneth Hahn Hall of Administration 500 W. Temple Street Los Angeles, California 90012

Re:

The Malibu Institute – Draft Environmental Impact Report

SCH No. 2012111068

County Project No. TR071735-(3)

# Dear Supervisor Knabe:

The University of Southern California continues to support the renovation of the Malibu Golf Club and the establishment of The Malibu Institute, a sports-oriented educational retreat, which will be affiliated with the University of Southern California.

The Malibu Institute would serve as an invaluable venue for the establishment and enrichment of sports-related education for collegiate and professional-level athletics. The University of Southern California is committed to participating with The Malibu Institute on sports-oriented research projects, academic seminars and symposia, and would offer advice on the development of a professional and/or continuing education curriculum related to the pursuit of a career in sports.

The University of Southern California is proud of its athletic department and its rich heritage of student-athletic success at elite levels of collegiate competition. The Malibu Institute would serve as a perfect forum to host educational seminars and lectures for the university's athletic department, and in particular, the university's student-athletes.

The University of Southern California believes The Malibu Institute would not only benefit the university's Athletic Department, but also the community at large, as the Malibu Institute would improve and enhance the existing public recreational activities in the area. Additionally, the improvements will be built using LEED<sup>TM</sup> Platinum or equivalent construction practices, including the use of photovoltaic panels and landscaped roofs, to obtain the highest level of sustainability and to set an example for future development in the region.

Furthermore, The Malibu Institute's environmental stewardship is commendable in protecting over 450 acres of undeveloped open space and removing invasive species from the existing golf course ponds that prey on native species, including the California newt and Western pond turtle. The property is at the headwaters of Trancas Creek, so the renovation of the golf course will improve water quality and remove invasive species with a positive impact downstream and throughout the Trancas Creek basin.

The Institute also plans on substantial environmental improvements to the existing public golf course and related facilities, decreasing the demand for water, improving the wastewater collection system on-site, replacing non-native invasive plants with native drought-tolerant landscaping, and replacing over 185,000 square feet of impervious asphalt with pervious pavers and collection basins. These improvements will reduce point source pollution entering the Trancas Creek. The Malibu Institute also would continue to serve as a resource for numerous charity events, local fundraisers and other local gatherings.

The proposed renovation of the Malibu Golf Club and creation of the Malibu Institute is consistent with the proposed Santa Monica Mountains Local Coastal Program, which provides numerous regulations for new development to protect and manage the unique resources in the Santa Monica Mountains Coastal Zone. With this in mind, the University of Southern California is pleased to be affiliated with The Malibu Institute.

Sincerely,

Laurie M. Stone

cc: Honorable Gloria Molina

Honorable Mark Ridley-Thomas

Honorable Zev Yaroslavsky

Honorable Michael D. Anotonovich

Richard Bruckner, Director of Regional Planning

# Response to Comment Letter No. 7 (University of Southern California)

# **Response to Comment 7-1**

This comment expresses support for the Project, referencing Project benefits and design features. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.



January 29, 2014

Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section, Room 1362
320 West Temple Street
Los Angeles, CA 90012

RE: The Malibu Institute Project #201100192

Dear Ms. Blengini,

3835 Cross Creek Rd., Suite 8A

Restaurant Fax 310-456-9966

A/P Email sarahalessi@msn.com www.tradinoimalibu.com

Malibu, CA 90265 Restaurant 310-456-0169

A/P 310-457-6757 A/P Fax 310-919-3872

As residents of Malibu West and business owners in Malibu, it is with great pleasure we write this letter expressing our excitement and support for The Malibu Institute project. In our opinion, the developer has utilized a unique, exciting and sustainable design approach to redeveloping this existing outdated property. By putting in much thought and careful planning to correct some major existing environmental conditions including but not limited to the removal of invasive species from the on-site ponds, this development can make a huge difference in the overall environment of the Trancas watershed.

We are also very impressed with the developer's desire to stay within the footprint of the existing development. This willing allocation of over 450 acres of valuable permanent open space demonstrates impressive care for the land.

We believe this project deserves the support of the Regional Planning Office of the County of Los Angeles and an expedient approval of the proposed project.

Sincerely yours,

Antonio Alessi

President

Sarah Alessi

CFO

# Response to Comment Letter No. 8 (Antonio and Sara Alessi)

# **Response to Comment 8-1**

This comment expresses support for the Project, referencing its sustainable design and environmental features such as the open space dedication. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: AJ Ali [mailto:ajaliwins@gmail.com] Sent: Sunday, January 05, 2014 1:24

PM To: DRP Special Projects Subject: The Malibu Institute

January 5, 2014

Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section, Room 1362
320 West Temple Street
Los Angeles, CA 90012

# Dear Ms. Blengini:

I'm writing you in regards to The Malibu Institute (EIR Review number: 201100192). I've had a longstanding relationship with the Malibu Golf Club and it has always been a positive experience. As an avid golfer, I love that there's an affordable public golf course in the Santa Monica Mountains, near my other activities. I've held numerous fundraisers there for the cancer-fighting charity my wife and I run. Everyone always has a great time and the setting truly lends itself to the wellness-oriented work that we do. I want to give my wholehearted support for The Malibu Institute. It is a project that will help the local community as well as help leaders from all over the world to come to a greater understanding about wellness, eco-friendly living and other positive things. The owners have proven themselves to be highly skilled at creating world-class environments that are financially viable and sensitive to local concerns. As Malibu continues to grow and evolve, I believe that The Malibu Institute will become a signature property, including many elements that will make the Malibu area an even better place to live, work and play.

Best regards, A.J. Ali

My best,

A.J. Ali Writer | Producer | TV Host 443-463-5009 www.ontheteewithajali.com

# Response to Comment Letter No. 9 (A.J. Ali)

# **Response to Comment 9-1**

This comment expresses support for the Project, citing benefits to the local community and visitors as well as improving their understanding about wellness and eco-friendly living. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

10-1



# College of Natural and Agricultural Sciences UC Division of Agriculture and Natural Resources Agricultural Experiment Station and Cooperative Extension

Department of Botany and Plant Sciences-072 Riverside, CA 92521-0124

February 3, 2014

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

Dear Ms. Blengini,

As the Turfgrass Specialist for the State of California, I am writing to express my support for The Malibu Institute Project. Mr. Nathan Radwick, golf course superintendent, Malibu Golf Club, and I have exchanged information and ideas about the project and I find it to be both environmentally sound and sustainable in scope.

I was particularly impressed with the commitment to using local native plantings and trees in the renovation, while at the same time removing over 2,000 non-native trees. Reduction of existing turf areas, use of drought tolerant turfgrasses (e.g., bermudagrass), and installation of a new and more efficient irrigation system will significantly reduce not only the amount of water used, but also chemical, fertilizer and other inputs necessary to maintain desirable turf and playing conditions. However, perhaps the most significant environmental benefit achieved in this project will be the removal of numerous invasive species in the ponds as well as construction of sustainable bio-swales. Not only will this clean up water features on the golf course but also create a more environmentally friendly Trancas Canyon Watershed downstream.

In summary, I strongly recommend that the County approve The Malibu Institute Project. This project will serve as a model for all southern California golf courses to follow. Please do not hesitate to contact me if you have further questions or need assistance.

Sincerely,

James H. Baird, Ph.D.

Assistant Specialist in Cooperative Extension and Turfgrass Science

Voice: 951-827-4619 • Fax: 951.827-4437 • WWW.PLANTBIOLOGY.UCR.EDU

# Response to Comment Letter No. 10 (James H. Baird)

# **Response to Comment 10-1**

This comment expresses support for the Project, referencing environmental features and the removal of invasive species. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

11-1



January 20, 2014

Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section, Room 1362
320 West Template Street
Los Angeles, CA 90012

Re: The Malibu Institute Project #201100192

Dear Ms. Blengini

As a business in Malibu, it is our pleasure to write this letter in support of the Malibu Institute project. In our view, this project would bring increased business and revenue to the City. The developer has gone out of their way to design a unique vision and sustainable approach to the existing, much-needed property update.

They have taken everything into consideration including ways to correct major existing environmental issues, improving the Trancas waterflow, as well as staying within the footprint of the existing development. The general public will greatly enjoy and benefit from the 450 acres being donated by the developer.

Please support this project and expedite its approval.

Regards,

CURE Spas, CURE Concierge, CURE Malibu Medical Dr. Lisa Benya

25583 Paping Coast Highway, Madish CA 30765

glania (640)456-2803

# Response to Comment Letter No. 11 (Lisa Benya)

# **Response to Comment 11-1**

This comment expresses support for the Project, referencing economic benefits, approach to environmental issues, sustainable property update, and open space dedication of the Project. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

February 1, 2014

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Room 1362 320 West Temple Street Los Angeles, CA 90012

Re: The Malibu Institute Project #201100192

Dear Ms. Blengini,

As a lifelong resident of Malibu, I am writing to voice my support of the proposed Malibu Institute project. Although I believe that the new golf course will be a much needed upgrade, what I am especially pleased to hear about, is the lodging and conference areas that will be added to the property. I have worked locally in the restaurant business for the past 20 years, and the lack of local lodging for incoming guests to the area has greatly affected the local economy. Millions of people travel to Los Angeles, and then Malibu specifically, for a few hours or the day, but then go back to surrounding areas such as Santa Monica and Westlake to eat and sleep. This project would enable travelers to spend extended amounts of time in our community, and in turn boost our economy. I have personal knowledge of the current state of Malibu, as my husband and I previously owned our own restaurant here, and the fact that people consistently wanted to enjoy dinner and drinks closer to their hotels, directly affected our sales.

The second reason that I am really behind this project is the fact that it is a LEED design. Malibu residents are very protective of their land, and all of the upgrades to the property would make amazing strides toward preserving our earth. I have had the pleasure of working in the Hilton Foundation Building in Agoura Hills California, which implements this philosophy, and I have to say it is amazing. I sincerely hope that this project is approved, as it can help to put Malibu on the Map as a leader in sustainable living and species preservation.

Kristine Bocchino

Owner - Cal Fresco Special Events, Malibu

Pastry Chef - V's restaurant + bar, Malibu

# Response to Comment Letter No. 12 (Kristine Bocchino)

# **Response to Comment 12-1**

This comment expresses support for the Project, citing the provision of overnight accommodations and the LEED design. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: PATRICK J BOYLE <cpemalibu@verizon.net>

Subject: EIR Review # 201100192

Date: January 22, 2014 10:41:55 AM PST

To: DRP Special Projects <specialprojects@planning.lacounty.gov>

Cc: "Christine@MalibuCommunityNews" <christine@malibucommunitynews.com>

Reply-To: "cpemalibu@verizon.net" <cpemalibu@verizon.net>

Wednesday, January 22, 2014

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

RE: The Malibu Institute Project #201100192

Dear Ms. Blengini,

I am the Owner's Representative for MariSol Malibu an 80 acre, 17 homesite, project located just above County Line State Park in western Malibu. As an interested member of the community of Malibu, it is my pleasure to write this letter of support for The Malibu Institute project. In my view, the developer has utilized a unique visionary and sustainable design approach to redeveloping this existing outdated property. By applying careful planning and correcting major existing environmental conditions such as the removal of invasive species from the on-site ponds, this development can make a huge difference in the overall environment of the Trancas watershed.

Additionally, I am equally impressed with the developer's willingness to stay within the footprint of the existing development. The developer's willing dedication of over 450 acres of valuable permanent open space demonstrates impressive stewardship of the land. The resulting facility will be a welcome addition to the community.

This project deserves the support of the Regional Planning Office of the County of Los Angeles and an expedient approval of the proposed project.

Sincerely,

Patrick Boyle
MariSol Malibu
Owner's Representative
11312 Yerba Buena Road
Malibu, CA 90265
310-589-5701 Office
310-457-2329 Fax
805-895-1094 Cell

Email: <a href="mailto:cpemalibu@verizon.net">cpemalibu@verizon.net</a>

# Response to Comment Letter No. 13 (Patrick Boyle)

# **Response to Comment 13-1**

This comment expresses support for the Project, citing the Project's sustainable design, the removal of invasive species, limiting the proposed uses to the existing footprint, and the open space dedication. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

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Gary Bucciarelli, PH.D. Candidate
DEPARTMENT OF ECOLOGY AND EVOLUTIONARY BIOLOGY
garyb@ucla.edu

UCLA COLLEGE OF LETTERS AND SCIENCE DIVISION OF LIFE SCIENCES HERSHEY HALL 612 CHARLES E. YOUNG DRIVE, EAST LOS ANGELES, CA 90095-7246 (310) 825-5063

February 5, 2014

# Re: The Malibu Institute Project #201100192

Dear Ms. Blengini:

I am writing as both a scientist and as a resident of Malibu to give my support for the Malibu Institute project. From my meetings with the developers, I am both impressed and inspired by their vision of sustainability, restoration, and rehabilitation. It was to my surprise and delight to learn that the Malibu Institute will undertake an ecologically sound and environmentally responsible approach to redevelop this property. I was very pleased to learn that this project will substantially decrease the acreage of maintained turf, as opposed to increasing the current footprint and disturbing surrounding ESHA. Furthermore, their committment to develop all new constrution using LEED platinum standards is remarkable.

As a scientist focused on conservation and land preservation, the developer's redesign, which takes advantage of solar panels to generate approximately two thirds of their net usage, and an operating greywater system, demonstrate an honest committment to being green. Of greater significance may be the fact that the Malibu Institute has agreed to remove over 1,000 nonnative trees, and they have also worked with local biologists to remove aquatic invasive species, which have populated their ponds and resulted in decreased numbers of local amphibian and reptile species. The enthusiasm and dedication the Malibu Institute has shown to restore the grounds and surrounding land with native species is simply fantastic. I am especially glad to hear that the Malibu Institute willingly decided to create suitable habitat in the upper Trancas watershed for the reintroduction and repopulation of native amphibians, birds, and reptiles.

Needless to say, I very much look forward to having this project completed. It will be both a wonderful example of restoration, but it will also serve as a poignant example for other businesses, corporations, and organizations in Malibu and throughout Los Angeles to conduct environmentally responsible and ecologically beneficial industry and service.

I can see no reason why this project should not receive the support of the Regional Planning Office of the County of Los Angeles and an expedient approval.

Best.

Gary Bucciarelli

UCLA Department of Ecology and Evolutionary Biology UCLA La Kretz Center for California Conservation Science

# Response to Comment Letter No. 14 (Gary Bucciarelli)

# **Response to Comment 14-1**

This comment expresses support for the Project, referencing Project benefits and sustainable features including, but not limited to, the removal of non-native trees, the use of solar panels, and the removal of aquatic invasive species. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

# **Clark Strategic Partners**

Sustaining the Earth P.O. Box #17975
Beverly Hills, CA 90209

26 January 2014

Ms. Carolina Blengini
Department of Regional Planning
Los Angeles County
Special Projects Section, Rm #1362
320 West Temple Street
Los Angeles, CA
USA 90012

Dear Ms. Blengini (and others with Regional Planning)

RE: Malibu Institute Project

My background and credentials can be seen below on my website as well as attachments listed below on my more current work, publications and activities related to "sustainable communities": short current bio, last book on The Next Economics (Springer Press), books on sustainable communities and new book on The Green Industrial Revolution (Elsevier Press, forthcoming in 2014).

My work in the areas of environment, technology(s), planning, public policy and how to finance the need to have communities reduce and eliminate their greenhouse gases, pollution and carbon footprints which impact our global climate changes, cover over three decades of work, publications, business and government service. For example, I was Governor Davis' Renewable Energy Advisor during the energy crisis that California had at the turn of the 21<sup>st</sup> Century. I worked with communities on their EIR programs under CEQA and the Resources Agency, CEC, CARB, CPCU and infrastructure agencies ranging from transportation to construction. Today, the Malibu Institute is clearly a leader in creating a sustainable community in Malibu for this region and all of California.

The 21st Century was the turning point for all of California.

Prior to that, my work as the Technology Transfer Manager for the Energy Directorate at Lawrence Livermore National Laboratory (LLNL) during the 1990s put me front and center with the technologies that are now being commercialized today. Before I was at LLNL, I had been a Fulbright Fellow Teaching Economics and Business at AAlborg University in Denmark, where I also got an international perspective on the significance of sustainable communities from the Nordic Countries. Then while at LLNL, I volunteered and worked on the UN Inter Governmental Panel on Climate Change (UN IPCC). That work was global then in the EU and Asia, but needs to be far more active, significant and impactful in the USA.

I see the Malibu Institute as one of the key cases in that regard.

15-1

The project has the involvement of Mr. Bing Hu from H&S International, the project architect who is involved with similar developments in China and other parts of the world and the United States. He is an important partner for the design and architecture of the Malibu Institute. He has an international track record, together with the leadership of Mr. Tom Hix in Malibu, both of them provide a unique and a significant guide to America's environmentally pro-active future.

Even more significantly, the Malibu Institute has also teamed up local academic and research organizations to make its vision "real" and setting a new higher standard than LEED criteria for "green buildings." LEED is important as a building-by-building standard with measures, but one building is not enough; nor is any building alone. The key are the infrastructures and connections between buildings for any community, be it a college, shopping mall, retirement center, office building or film studio. I have worked with all of these kinds of institutions over the last two decades. But I have not seen this vision for other "communities", like the Malibu Institute has or an entire city or town.

Now the Malibu Institute is doing just that: providing leadership through its plans.

I have seen the designs and plans for the Malibu Institute along with walking the area, while assessing new advanced "green" technologies at reasonable costs, so that they can be installed, monitored and make the entire footprint of the Institute environmentally aggressive for reducing carbon emissions, water pollution and greenhouse gases.

The plans call for green roofs, solar panels and geothermal systems for heating and cooling. Transportation on site will be with all electric vehicles, recharged by solar energy. The water and waste will be monitored and reused for plants, vegetation and land use. The access to and from the Institute will be structured to encourage environmental concerns for hybrid, electric, and group transportation, communication, waste and water infrastructures. Such concerns and actions are a role model for all of California.

If you or the staff have any questions or need for further information, feel free to contact me. I would be happy to provide more technical details, economic data and certainly specifics on the technologies that will be used at the Institute. Above all, the Malibu Institute will be a model for all of us, let along communities around the world. Thus it will be a remarkable case for all Californians to be proud of and respect.

Thanks for your attention. Sincerely Yours,

Woodrow W. Clark II, MA<sup>3</sup>, PhD Managing Director

Clark Strategic Partners

Attachments

Dorden W Cloth

# Woodrow (Woody) W. Clark II MA<sup>3</sup>, PhD Qualitative Economist / Executive Producer

Dr. Clark, a long-time advocate for the environment and renewable energy, is an internationally recognized author, lecturer, public speaker and advisor specializing in sustainable communities. He was one of the contributing scientists to the United Nations Intergovernmental Panel on Climate Change (UNIPCC), which as an organization was awarded the Nobel Peace Prize in December 2007 along with Al Gore and his film "An Inconvenient Truth".

In 1980, Woody founded a mass media company in San Francisco, CA, Clark Communications, specializing in the production and distribution of documentary and educational films focused on social issues such as sexual harassment, school violence, health issues and baby boomers. Today is an active member today in the Producers Guild of America. For six months in 1994. Dr. Clark was a Fulbright Fellow at AAlborg University in Denmark, and then returned back to Northern California to be Manager of Strategic Planning for Energy Technology Transfer at Lawrence Livermore National Laboratory (LLNL) from 1994-1999 at University of California and U.S. Department of Energy.

Returning to AAlborg University from 1999-2000, Dr. Clark became a Visiting Professor of Science, Technology and Entrepreneurship and associate at the NOVI Science Park. However the three-year contract was cut short because California Governor Gray Davis' senior staff asked him to return immediately to California to help with the energy crisis in 2000 and be the Governor's Advisor on Renewable Energy, Emerging Technologies, and Finance (2000-2003). Then the "recall" came in 2003 and while being asked to remain in State Government, Clark instead founded in 2003 Clark Strategic Partners (CSP), an environmental and renewable energy consulting firm using his political-economic expertise to guide, advice and implement public and private clients worldwide for sustainable smart green communities ranging from colleges and universities to shopping malls, office buildings and film studios.

Clark has six books and 50+ peer-reviewed articles that concern economics and policies for global sustainable communities in "The Green Industrial Revolution" (GIR) with Grant Cooke, which will be published in English and Mandarin by Elsevier Press due in early 2014). His newest book is "The Next Economics" (Springer Press, December 2012). Clark has a book, "Global Sustainable Communities Design Handbook" which Elsevier Press will have in early 2014. From 2011-2012, Dr. Clark is an Academic Specialist at UCLA in the Cross-Disciplinary Scholars in Science and Technology (CSST) program and ran his company Clark Strategic Partners. He earned three masters' degrees from three different universities in Illinois and his PhD at University of California, Berkeley on "Violence in Public Schools." Woody lives with his wife, and 6 year-old son in the westside area of Los Angeles, CA.

The Next Economics: Global Cases in Energy, Environment, and Climate Change Springer Press, December 2012 <a href="www.Spinger.com">www.Spinger.com</a>
Global Sustainable Communities Design Handbook (Elsevier Press, Winter 2014)

Web site: <a href="www.clarkstrategicpartners.net">www.clarkstrategicpartners.net</a> Direct Private Email: <a href="www.clarkstrategicpartners.net">www.clarkstrategicpartners.net</a>

# Global Sustainable Communities Design Handbook: Green Design, Engineering, Health, Technologies, Education, Economics, Contracts, Policy, Law and Entrepreneurship

#### **Elsevier Press**

Due in late 2013 or early 2014 Print, On-Line and Interactive

Woodrow W. Clark II MA<sup>3</sup>, PhD Chief Editor and Author Email: Wwclark13@gmail.com

# Background for the book, topics and regions

#### Preface

Woodrow W. Clark II, MA<sup>3</sup>, PhD.

#### Part One: Overview and Introduction

#### Overview

Woodrow W. Clark II, MA<sup>3</sup>, PhD

1) Introduction Woodrow W. Clark II, MA<sup>3</sup>, PhD

2) "The Green Industrial Revolution" Woodrow W. Clark II, MA<sup>3</sup>, PhD and Grant Cooke, MAJ

#### The Mechanisms for Sustainable Development

- 3) "Public Policy and Leadership infrastructures and integration", Michael "Hakeem" D. Johnson
- 4) "China: Resource Assessment of Offshore Wind Potential" Lixuan Hong, PhD.

#### Part Two: Continent Areas

5) "Sustainable planning of open urban areas in developing countries: A lesson from a case study in Tel Aviv, Israel" By Tali and Hadas Saaroni

- 6) "India: Issues for Sustainable Growth/ Innovation for Sustainability" By Namrita Singh Heyden,
- 7) "Energiewende Germany's community-driven since the 1970s" Craig Morris

# Public Policy and Leadership - Integration of infrastructures.

- 8) "Multidisciplinary Integrated Development (MID)" M. Khalil Elahee, PhD
- 9) "Think Globally, Act Locally and Plan Nationally" Lacey M. Raak,

#### Plan, Design and Build Models: principles of interconnectivity

10) "Financial Investments for Zero-Energy Houses: The case of near zero-energy buildings in the Baltic States" Natalija Lepkova, PhD.

#### **Energy Conservation and Efficiency**

- 11) "The Canadian Context: energy", Kartik Sameer Madiraju, M.Sc.
- 12) "Energy Management in Small-Island Developing Economy: the Case of Mauritius" M. Khalil Elahee, PhD.

#### Renewable Energy Generation Technologies and Scientific Planning

- 13) "The Baltic States' Energy System and its Development Objectives", Jurate Sliogeriene PhD.
- 14) "Renewable Energy Generation: a comparison between Italy and the other European countries" Davide Chiaroni, Vittotio Chiesa and F. Frattini

#### Part Three: The Finance and Economics for Sustainable Communities

- 15) "Germany's Energiewende", Eric Borden and Joel Stonington
- 16) "Educational, Programs for Sustainable Societies using Cross-Cultural Management Method: A Case Study from Serbia" Jane Paunkovic

#### **Economics: Finance, Life Cycle and Cost Benefit Analyses**

17) "Vital Role of Information Centers in Knowledge-Based Economies" Patricia Wand

18) "Business Ventures and Financial Sector in the United Arab Emirates" Robert Ruminski MBA, PhD

#### Health care and Medical Costs

19) "The development of a sustainable disabled population in the countries of the Cooperation Council for the Arab States of the Gulf (GCC)" Simon Hayhoe

#### Part Four: Culture, History and Public Policy

20) "Political-Economic Governance of Renewable Energy Systems: The Key to Create Sustainable Communities", Woodrow W. Clark II, MA<sup>3</sup>, PhD and Xing LI, PhD

# **Agriculture and Farming**

21) "Sustainable Agriculture: the Food Chain" Attilio Coletta, PhD

#### The Smart Green Grid

22) "Development Partnership of Renewable Energies Technology and Smart Grid" A.J. Jin, PhD and Wenbo Peng, PhD.

#### **Cases of Sustainable Communities**

23) "Regenerative Community Régénérer: Haiti model and process towards a sustainable, self-renewing economy" Carl Welty, Architect

24) "Micro Cities: the case of India" Naved Jafry and Garson Silvers

#### Part Five: Conclusion

25) "The future is NOW" Woodrow Clark, MA3, PhD

#### **Key Words**

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# The Next Economics Global Cases in Energy, Environment, and **Climate Change**

Woodrow W. Clark II, Editor

**▶\$** 129.00

The Next Economics focuses on how the field of economics must change and incorporate environment, energy, health and new technologies that are called externalities for stopping and reversing climate change. The field of economics needs to become a science. Economics in this book applies to the Green Industrial Revolution, which goes beyond the third industrial revolution since it covers cases, examples and specific economic analyses that are both scientific and global. Economics, in short, needs to become a science.

The book concerns climate change and how the Economics for Externalities, needs to range from energy and national security to infrastructure and communities. Solutions and cases of the "Next Economics" are based in western philosophical economic paradigms and how that is changing due to the significance of current global economic and societal concerns. Finally practical applications for economics are explored using global environmental and energy issues.

Areas that need a paradigm change and led the changes needed within economics that include the environment, social and political issues, energy, health climate change and their infrastructures, as they are major components of the macroeconomics for the future. Based on past economic models, these subjects have been lost or ill fitted into modern economic theory that is in need of basic changes. The failure of economics to predict the global economic collapse is a cause for global concern.



The challenge is to explore and to look deeply into economics in order to provide it a new with the possibility for understanding, changing and saving the planet from climate change. This book presents to economists and policy-makers alike areas of environmental economics, energy policy, health and social issues which are needed to stop and reverse climate change.

Woodrow W. Clark II, MA<sup>3</sup>, PhD, is a Qualitative Economist who is helping make economics a science. The book chapters, several co-authored by Clark reflect the concern for a variety of social issues confronting national around the world. There are many models and examples of countries now heavily involved in financing climate change solutions, especially in the USA after "Sandy" hit the east coast in NY, NJ and Connecticut.

The Green Industrial Revolution, which is concerned with public policies combined with economic and financial issues today — in order to create a more sustainable planet for our children and grandchildren. The future cannot be solely in the hands of the private sector. Economic history has never been that way. Instead, there needs to be leadership from governments with plans and financing to implement sustainable communities around the world.

Order today online at: http://www.springer.com/economics/policy/book/978-1-4614-4971-3 For more information see: www.link.springer.com



Woodrow W. Clark Editor

Next Economics

The Next Economics

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ISBN 978-1-4614-4971-3

\$129.00

Change, Woodrow W. Clark II (Ed.) Hardcover, 2013, 2013, I,

Global Cases in Energy, Environment, and Climate Change

The

# Response to Comment Letter No. 15 (Woodrow Clark)

# **Response to Comment 15-1**

This comment expresses support for the Project, citing the leading environmental design and features including green roofs, solar panels, geothermal systems, all-electric on-site vehicles, water and waste monitoring, and transportation and access improvements. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

# RE: The Malibu Institute Project #201100192

Dear Ms. Blengini,

I am a senior student at Pepperdine University studying biology. I am fortunate enough to study in such a place where conservation is at the core of the curriculum. I am also fortunate enough to live in an area that is as progressive as it is in its means of environmental sustainability. After meeting with the Malibu Institute leaders, I am fully convinced that the green technology and environmental impact this state of the art renovation project will have on our community will be astounding. This project will set the tone for future projects and raise the bar for sustainable contracting.

Not only does the planning committee have incredible means to construct a LEED platinum project, but also the project's plan to donate acreage to the National Parks is an environmentalist's dream. We face today a problem of deforestation and habitat fragmentation; however, this "development" project has every intention to develop the minimal amount of land and actually give back excess acreage in order to eliminate deforestation and fragmentation. The plans to also renovate the ponds can help eliminate invasive species of fish (*Micropterus salmoides*) and invasive crayfish (*Procambarus clarkia*) which will help restore the Santa Monica Mountains and Trancas Creek to its natural state. This *will* give rise again to the once native (and now rare) Western Pond Turtle (*Actinemys marmorata*) and the California Newt (*Taricha torosa*). The restoration of these native species will have an immeasurable impact on the overall ecosystem and will enrich the Santa Monica Mountains as a biological hotspot.

After visiting the Malibu Golf Club, it is evident that renovation is necessary. Usually, I am skeptical about upcoming projects that are taking place and deal with construction of wild areas. Tom Hix has taken every step to insuring that this project will be beneficial to the environment. I believe that this is the future of construction and I'm excited to witness it.

Sincerely,

Kevin Doak Pepperdine Class of 2014

# Response to Comment Letter No. 16 (Kevin Doak)

# **Response to Comment 16-1**

This comment expresses support for the Project, citing the Project's LEED design, the removal of invasive species from the ponds, and dedication of open space. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: "Drobnick, Lou" <Lou.Drobnick@pepperdine.edu>

Subject: Malibu Country Club

Date: February 7, 2014 5:12:55 PM PST

To: DRP Special Projects < DSpecial Projects@planning.lacounty.gov>

February 7, 2014

Ms. Carolina Blengini Los Angeles Country Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

Re: The Malibu Institute Proposed Project

Dear Ms. Blengini,

As a longtime resident of Malibu (35 years) I would like for you to know how much I support the new project at the Malibu Golf Course. I have been playing golf and the Malibu Golf Course for over ten years and feel it is an essential part of our Malibu community—it is the only golf course accessible to the Malibu community.

The Malibu Golf Course has been a good neighbor and has allowed young Malibu residents to take lessons and play golf. It has hosted numerous charitable golf tournaments and has partnered with many of Malibu charitable organizations.

I am aware of the Golf Course's dedication to the environment because of their desire to insure the water quality of the streams on their property by hiring experts to study the species of aquatic life and removing those that harm the quality of the streams in the Santa Monica Mountains.

The community needs additional conference facilities and by providing overnight accommodations, it will be reduce the number of trips needed by cars. It is my personal desire to utilize the conference facilities for meetings of community groups.

I appreciate your recommendation of this new project to enhance our community and fulfill the needs of our residents.

Sincerely,

Lou Drobnick 33450 Decker School Road Malibu, CA 90265

# Response to Comment Letter No. 17 (Lou Drobnick)

# **Response to Comment 17-1**

This comment expresses support for the Project, referencing invasive species eradication and the provision of needed conference facilities and accommodations. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: Cameron Farrer < CFARRER@stewart.com>
Subject: The Malibu Institute - Project #201100192

Date: January 28, 2014 10:44:05 AM PST

To: DRP Special Projects <specialprojects@planning.lacounty.gov>

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Rm. 1362 320 West Temple St Los Angeles, CA 90012

Re: The Malibu Institute

Dear Ms. Blengini,

I am writing in support of the Malibu Institute project. I have seen a detailed presentation regarding the above-referenced project I am extremely impressed with the quality and scope of the project, the use of renewable energy sources and the water treatment system. The developer has given careful consideration to this unique site with environmentally sensitive solutions as well as corrections to the currently existing outdated and inefficient facility. The sustainable design and execution plans present an opportunity to support the protection of habitat, the conservation of water and the reintroduction of native vegetation in this area of the Santa Monica Mountains. The continuation of the golf course with a new and greatly improved course is a benefit to local golfers, and the creation of overnight accommodations and conference facilities increase its value to the local community and economy. Also, the dedication of 450 acres of the site to open, natural space is an exemplary demonstration of stewardship of this land.

Thank you,

Cameron Farrer Malibu resident AgenutDntDLp

# Response to Comment Letter No. 18 (Cameron Farrer)

# **Response to Comment 18-1**

This comment expresses support for the Project, referencing the Project's renewable energy sources, water treatment system, overall sustainable design, value to the community, and open space dedication. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: Karen Farrer < karen.farrer28@gmail.com>
Subject: The Malibu Institute - Project #201100192

Date: January 26, 2014 10:35:31 PM PST

To: DRP Special Projects < specialprojects@planning.lacounty.gov>

To: Ms. Carolina Blengini

Los Angeles County Department of Regional Planning, Special Projects Section

Re: The Malibu Institute - Project #201100192

Dear Ms. Blengini -

After recently seeing a detailed presentation regarding the above-referenced project I am writing to you to register my support for it.

The developer has given careful consideration to this unique site with environmentally sensitive solutions as well as corrections to the currently existing outdated and inefficient facility.

The sustainable design and execution plans present an opportunity to support the protection of habitat, the conservation of water and the reintroduction of native vegetation in this area of the Santa Monica Mountains.

The continuation of the golf course with a new and greatly improved course is a benefit to local golfers, and the creation of overnight accommodations and conference facilities increase its value to the local community and economy.

Also, the dedication of a large percentage of the site to open, natural space is an exemplary demonstration of stewardship of this land.

I am extremely impressed with the quality and scope of the project, the use of renewable energy sources and the water treatment system.

Thank you for your consideration of my opinion as a 36 year Malibu resident and taxpayer.

Yours truly,

Karen Farrer

6811 Wildlife Road Malibu, CA 90265 (310) 457-3227 (310) 383-7617

Please make note of my new email address:

karen.farrer28@gmail.com

# Response to Comment Letter No. 19 (Karen Farrer)

# **Response to Comment 19-1**

This comment expresses support for the Project, citing the Project's sustainable design, conservation of water, the reintroduction of native vegetation, and other environmental features and improvements to the golfing experience. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

20-1

# BITA GOODMAN, ESQ

269 S. Beverly Drive #1057 Beverly Hills, CA 90212 (310) 721-4071 (310) 626-9782 fax

December 16, 2013

Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section, Room 1362
320 West Temple Street
Los Angeles, CA 90012

RE: The Malibu Institute Project #201100192

Dear Ms. Blengini,

I live in Brentwood, but I frequent the Santa Monica Mountains often for hiking and biking. I have been following The Malibu Institute project for quite a while and have taken the time to read several sections of the Draft Environmental Impact Report (DEIR). In particular, I was very impressed with the very meaningful mitigations in the Biological Resources section.

The Applicant's removal of non-native trees, invasive species, and preservation of nearly 500 acres of permanently dedicated open-space is outstanding. I am also a big supporter of LEED's buildings and I applaud the Applicant for proposing a project that can be a model for future development.

I have been to the Malibu Golf Club on several occasions and I am quite familiar with the current golf course and its need for an overdue remodel. I support the Applicant's proposal and believe it will be a great asset to the local community and all of Los Angeles County.

Thank you for giving the community an opportunity to express our views.

Very truly yours.

Bita Goodman, Esq Attorney At Law

# Response to Comment Letter No. 20 (Bita Goodman)

# **Response to Comment 20-1**

This comment expresses support for the Project, notes the need for the remodel of the golf course, and supports the benefits of the proposed mitigation, particularly as they relate to biological resources, the dedication of open space, and the pursuit of LEED buildings. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

January 17, 2014

Cynthia Kesselman 6022 Merritt Drive Malibu, California 90265

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, California 90012

Re: The Malibu Institute Project #201100192

Dear Ms. Blengini,

I am writing in support of the Malibu Institute Project #201100192 in my capacity as a resident of Malibu and founding member of Malibu Community Alliance. My support follows a personal review of the project after which I concluded that the developer has created a unique visionary and sustainable design approach to redeveloping the existing outdated property.

As an example, the Malibu Community Alliance is currently working on the issue of light pollution in Malibu. The project will remove large outdoor lights and replace them with lighting that supports the Dark Sky initiative. The goal of reducing light pollution in and about the Malibu environs has garnered wide support in the Malibu community and merits support on this basis.

There are numerous other aspects of the project which make this project one easy to give wholehearted support including, the use of LEED's design, the preservation and permanent protection of nearly 500 acres of value open space, the introduction of solar arrays on the parking structure etc.

And finally, I would like to commend the developers for their outreach to a wide array of community members and their admirable efforts to address the concerns of the community in a collaborative rather than confrontational manner.

In sum, I encourage you to approve this project.

Regards,

Cynthia Goodman Kesselman

# Response to Comment Letter No. 21 (Cynthia Goodman Kesselman)

# **Response to Comment 21-1**

This comment expresses support for the Project and cites the removal of outdoor lights, LEED building design, the dedication of open space, and the use of solar arrays as the reasons for support. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

#### Summer Gray 5565 Canoga Ave. #309 Woodland Hills, CA 91367

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

Re: The Malibu Institute Proposed Project

Dear Ms. Blengini,

As a frequent parton of the Malibu Golf Club and hearing the details of the future renovation I strongly support this project.

The project is very environmentally friendly while at the same time providing exceptional playability when compared to conditions today. Permanently protecting hundreds of acres of open space allows everyone to enjoy the magnificent views while protectiong local native habitat.

Please urge the County to approve this project as quickly as possible. I cannot wait to visit after it's completion.

Sincerely,

Summer Gray

# Response to Comment Letter No. 22 (Summer Gray)

# **Response to Comment 22-1**

This comment expresses support for the Project, citing its environmental friendliness, improvements to the public golf course, and permanent protection of open space. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

February 6,2014

Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section, Room 1362
320 West Temple Street
Los Angeles, CA 90012

RE: Support of The Malibu Institute

Dear Ms. Blengini,

I am writing to express my support for The Malibu Institute proposal. I reviewed with great interest their proposal and welcome the many benefits that such a project brings to our community. The proposal employs cutting edge LEED design architecture and many sustainable design and construction features rarely seen in most developments today.

The proposal which continues to offer a public play golf course in the Santa Monica Mountains is a definite plus for local golfers. The protection of habitat by offering over 70% of the site to permanent open space and the removal of non-native trees on the golf course are equally impressive.

I also support the creation of the limited number of overnight accommodations in the Santa Monica Mountains which currently does not exist. The accommodations coupled with the educational retreat will be a great asset to the local community and the economy.

Please count me as one of the many supporters of this well planned project.

Yours truly,

**Christine Hameline** 

**RE/MAX ELITE in Malibu** 

310-456-4709

Christine@ChristineHameline.com

22917 Pacific Coast Highway Suite # 210

Malibu, CA 90265

#### Response to Comment Letter No. 23 (Christine Hameline)

# **Response to Comment 23-1**

This comment expresses support for the Project, referencing the sustainable design and environmental features such as LEED-design architecture, the protection of habitat, the removal of non-native trees from the Project site, as well as the benefits to golfers by continuing the operation of a public golf course in the Santa Monica Mountains. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: Matt Horns [mailto:getplanted.native@gmail.com] Sent: Thursday, January 09, 2014 3:30 PM To: DRP Special Projects Subject: Malibu Institute

Dear Ms. Blengini,

Regarding the Malibu Institute Project #201100192:

This issue is very dear to my heart. I began throughly exploring Trancas Canyon as a teen during the early 1970's. The canyon's beauty and natural abundance was a significant part of how I learned to appreciate nature and helped nudge me into a lifelong devotion to work to help heal Mother Earth.

When I first visited Trancas Canyon the creek contained non-native fish and crayfish but still supported abundant populations of native California newts and western pond turtles. Since 1999 I have been privileged to work in pretty much all of the streams in the Santa Monica Mountains and have seen that these two species are now extirpated from almost all of their former range in this area. From what I understand, native newts and turtles in Trancas Canyon are now barely surviving and are in real danger of disappearing because of the presence of non-native fish and crayfish.

Most Human activities through history have been conducted with little or no regard to their impacts on native ecosystems. That changed dramatically starting the early 1970's due to Federal and State environmental laws. Human activities are now generally allowed as long as they don't cause too much environmental damage.

A new ethos is slowly emerging in development projects. A growing number of projects don't merely protect natural ecosystems, they actually enhance them. The most remarkable of these that I have experienced is the Arcata Marsh Project. This is a system of constructed wetlands that polish treated wastewater before it is discharged into Humboldt Bay. Built on a former garbage dump, Arcata Marsh is now one of the premier birdwatching places on Earth.

While the Malibu Institute is on a much smaller scale than Arcata Marsh, it shares in the spirit that human activity can help heal and enhance our ecosystems. I give this proposal my support.

Thank you,

Matt Horns

1040 South Westlake Avenue, Los Angeles, CA 90006 310-866-5718 getplanted.native@gmail.com

# **Response to Comment Letter No. 24 (Matt Horns)**

# **Response to Comment 24-1**

This comment expresses support for the Project, citing the Project's restoration of the natural ecosystem. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

February 6, 2014

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Room 1362 320 West Temple Street Los Angeles, CA 90012

Re: The Malibu Institute Project #201100192

Dear Ms. Blengini,

I have been a resident of Malibu for the past 12 years. It is an honor to call Malibu my home. I am in support of the Malibu Institute Project. This is long over due update to the outdated property. I am impressed with the concept, especially with the LEED design architecture as well as the sustainable design.

I have frequented the golf course many times over the years, as well as participated in tournaments there. This plan will not only offer great improvement to the facility but will provide a better venue to serve the Malibu Community.

Additionally, I am very impressed with the consciousness of the developers to keep the within the 450 acres and improve and preserve the land.

I support this project and feel it deserves the support of the Regional Planning Office of the County of Los Angeles.

Sincerely,

Carol Hoyt

# **Response to Comment Letter No. 25 (Carol Hoyt)**

# **Response to Comment 25-1**

This comment expresses support for the Project, referencing the sustainable design and environmental features. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: Rodrigo Iglesias [mailto:rodrigoscience@gmail.com] Sent: Wednesday, January 08,

2014 4:08 PM To: DRP Special Projects Subject: EIR Review # 201100192

January 8, 2014
Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section, Room 1362
320 West Temple Street
Los Angeles, CA 90012

RE: The Malibu Institute Proposed Project

Dear Ms. Blengini,

As a resident of Malibu, it is rare for me to write a letter of support for development in our community. However, I have finally found a proposal that meets my stringent criteria.

It is very clear that the project developer has taken the time to understand what sustainable development is all about and he has incorporated impressive protections into the design.

The following is just a few of the many extraordinary benefits of the proposed project:

- The project proposes to remove the numerous invasive species from the existing ponds that impact the Trancas Creek.
- The removal of over 200,000 Sq. Ft. of old impervious asphalt parking lots, driveways and cart paths and replace them with a pervious material benefiting the ground water condition.
- The removal of over 2000 non-native trees from the golf course and replanting native vegetation.
- The use of LEED's design to create sustainable energy efficient buildings.
- The removal of large outdoor lights and replacement with lighting that supports the Dark Sky Initiative
- The creation of overnight accommodations and meeting space in the Santa Monica Mountains and the creation of new jobs.
- The voluntary preservation and permanent protection of nearly 500 acres of valuable open space without the need for one of agencies to purchase the property.
- The removal of existing septic systems and the replacement with a tertiary sewer treatment system which will help reduce nitrate loading of our groundwater.
- The introduction of solar arrays on the parking structure to produce a portion of the projects power.
- The redesign of the an existing golf course that will use less water in the future and correct the current environmental flaws in the design of the current course.
- The development is proposed 100% within the current developed area with minimal grading on areas that were previously graded.

This project brings great benefit to Malibu residents, helps the environment with minimal and has minimal impact.

Respectfully yours,

Rodrigo Iglesias New Construction Director <u>310 699-3435</u> Hilton & Hyland Exclusive Affiliate of Christie's International Real Estate 250 N. Canon Drive Beverly Hills, CA 90210

#### Response to Comment Letter No. 26 (Rodrigo Iglesias)

#### **Response to Comment 26-1**

This comment expresses support for the Project, citing the removal of invasive species, the removal of impervious surfaces, the removal of non-native trees, the use of LEED design, the use of dark-sky consistent lighting, the provision of overnight accommodations and meeting space, the dedication of permanent open space, the use of an on-site tertiary wastewater treatment system, the use of solar arrays on the parking areas, the reduction in water consumption due to the redesign of the golf course, and the limiting of development to the current developed area. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

January 28, 2014

Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section, Room 1362
320 West Temple Street
Los Angeles, CA 90012

RE: Support of The Malibu Institute

Dear Ms. Blengini,

I am writing to express my support for The Malibu Institute proposal. I reviewed with great interest their proposal and welcome the many benefits that such a project brings to our community. The proposal employs cutting edge LEED design architecture and many sustainable design and construction features rarely seen in most developments today.

The proposal which continues to offer a public play golf course in the Santa Monica Mountains is a definite plus for local golfers. The protection of habitat by offering over 70% of the site to permanent open space and the removal of non-native trees on the golf course are equally impressive.

I also support the creation of overnight accommodations in the Santa Monica Mountains which currently does not exist. The accommodations coupled with the educational retreat will be a great asset to the local community and the economy.

Please count me as one of the many supporters of this well planned project.

Yours truly,

Scott M. Johnson CEO and President

Santa Volume

# Response to Comment Letter No. 27 (Scott Johnson)

# **Response to Comment 27-1**

This comment expresses support for the Project, citing LEED-design architecture, the continued offering of a public-play golf course, the dedication of permanent open space, the removal of non-native trees, the provision of overnight accommodations, and the development of an educational retreat. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: John Knight <jdkcanada@gmail.com>
To: <specialproject@planning.lacounty.gov>

Cc:

Date: Sat, 1 Feb 2014 13:03:18 -0800

Subject: Malibu Institute Project

32436 Mulholland Hwy.

Malibu, CA 90265

Feb 1, 2014

Ms. Carolina Blengini

Los Angeles County Department of Regional Planning Special Projects Section, Room 132 320 West Temple Street Los Angeles, CA 90012

Reference: The Malibu Institute

Dear Ms. Blengini,

I am writing to encourage the LA County Regional Planning Board to approve the proposed Malibu Institute Project.

We are a neighbor as our property is situated above the current Golf course on Mulholland Hwy. For the past year Mr. Ron Davis Project Manager and Mr. Tom Hix Managing Partner have reached out to the surrounding neighbors to inform and update our community as to their project development priorities and plans.

Land use and utilization and eco sensitive construction methodology are critically important issues to my wife and I. We were very relieved and pleased to learn about the numerous commitments this project design has embodied.

This project as I understand it maintains the current golf course land usage and dedicates the remaining land approximately 450 acres to open space (Nation Park Service). Secondly the design parameters plan the elimination where possible of non-native plants, trees and invasive species from the golf course lands and ponds. Where applicable these items will be placed with local native plants, tree and marine animals.

The overwhelming construction concerns are addressed by adhering to the principles of Leeds Design Architecture including the primary Ecological Concerns of purification of water (reusable water), sound and light pollution etc. Their organic architectural design approach will make this project very attractive and notable.

We fully support the end use of an Educational Retreat with a PUBLIC golf course component. This eco advanced project will be a beacon example of "what can be done" and will be a wonderful addition to LA County, The City of Malibu, and surrounding communities.

Yours sincerely,

John and Dorothy Knight

# Response to Comment Letter No. 28 (John and Dorothy Knight)

# **Response to Comment 28-1**

This comment expresses support for the Project, referencing project design features and the open space dedication. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

Matthew Kozlowski 4300 Park Entrada Calabasas, CA 91302 (805) 377 – 5548 mtkozlowski@gmail.com

January 30th, 2014

Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section, Room 1362
320 West Temple Street
Los Angele, CA 90012

RE: The Malibu Institute Project

Dear Ms. Blengini,

As a local of East Ventura County and current Assistant Golf Course Superintendent at Calabasas Country Club, I strongly urge the county to approve the proposal for The Malibu Institute.

It is very clear after visiting the current property and hearing the many environmental improvements proposed that the project developer aims at making this development as sustainable as possible.

The following were a few of the numerous benefits that I found went above and beyond:

- The removal of over 2000 non-native trees, replacing them with native vegetation.
- The redesign of the existing golf course that uses far less water while also correcting the current environmental flaws in the design of the current course.
- Permanently protecting nearly 500 acres of open space by pledging to keep the development inside the current developments bubble.
- Using numerous cutting edge environmental technologies such as solar powered parking structures, LEED design
  concepts creating energy efficient buildings, and using lighting that supports the Dark Sky Initiative instead of typical
  large outdoor lighting.
- The removal of numerous invasive species from the existing ponds is a huge benefit to the Trancas Creek Watershed.
- The removal of old impervious asphalt cart paths, replacing them with pervious material which benefits the ground water condition.

It is wonderful to see a project with so many huge benefits compared to the current state of the property. If passed, I hope this project will be used as a model for all future projects in our area.

Respectfully yours,

Matthew Kozlowski Assistant Superintendent Calabasas Country Club

#### Response to Comment Letter No. 29 (Matt Kozlowski)

# **Response to Comment 29-1**

This comment expresses support for the Project, citing a list of Project benefits including the removal of non-native trees, reduced water consumption, correction of environmental flaws, the dedication of permanent open space, the use of solar panels, LEED design, dark skies compliant lighting, the eradication of invasive species, and the removal of impervious surfaces. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: Hans Laetz <a href="mailto:laetz">hanslaetz@gmail.com</a>
Subject: Project #201100192 - Malibu Institute
Date: January 27, 2014 9:42:03 AM PST

To: DRP Special Projects <specialprojects@planning.lacounty.gov>

#### Dear friends.

I am a CEQA analyst who lives in Trancas Canyon, downstream from the proposed "Malibu Institute" in unincorporated Malibu. I make my living pulling apart faulty or optimistic CEQA studies.

I had great concerns when I went to the Malibu Institute CEQA Scoping Session with my CEQA Checklist and shopping list of concerns. I had already told my neighbors that we should be steeling for yet another fight against a rapacious development scheme.

I was shocked, in the best way possible. Every single potential concern I had was addressed in the scope of the CEQA study. And every single environmental worry I had on my shopping list was already answered with a solution that was good for the biota, good for the neighbors, good for the recreational area and its users, and good for the developer.

The CEQA process worked here, very well. It demonstrates that the Malibu Institute will be a dramatic improvement in the environment -- both human and natural.

CEQA, as you know, does not consider opinions -- only facts. The fact is, there is no negative impact on any CEQA checklist item that I can spot. Only positives.

Sincerely,

Hans Laetz Zuma Impact Environmental Analysis and Reporting 6402 Surfside Way Malibu CA 90265

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Standard legal boilerplate: If you are reading this message and you are not the person to whom it was intended, please be aware that reading, forwarding, printing, publishing, broadcasting, web site posting, hyperlinking to, saving to disk, or copying any or all of this file or its contents without my express permission is strictly prohibited by law. This file's contents are confidential, intended only for the use of the recipient named above, and may be legally privileged. If you have received this communication in error, kindly let me know (<a href="mailto:hanslaetz@gmail.com">hanslaetz@gmail.com</a>) and delete the original message and any copy of it from your computer system. This message and attachments are (c) 2005-2014 by Hans Laetz, and all rights are reserved. Thank you.

# Response to Comment Letter No. 30 (Hans Laetz)

# **Response to Comment 30-1**

This comment expresses support for the Project, stating the Project addressed all potential concerns related to biota, the Project's neighbors, and the recreational area. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: Rico Lagattuta <ricolagattuta@gmail.com>
Subject: EIR Review number: 201100192 Date: February 7, 2014 9:36:53 PM PST

To: DRP Special Projects < DSpecial Projects@planning.lacounty.gov>

Dear Ms. Blengini,

I am writing to express my support for The Malibu Institute. I'm truly impressed by the planning, not just from the persepctive of the services and amenities the institute will bring to the local community region, but in the care obviously taken to protect and improve the native environment. I am a lifetime resident of Westlake Village, CA, a patron of the golf club and live and work locally. I am excited about the new jobs, services and growth that The Malibu Institute will bring to our region.

Yours truly,

Rico Lagattuta Director, Pension Risk Transfer

Prudential Retirement Phone: 805.367.2333 BB: 805.402.9816 Email: Rico.Lagattuta@Prudential.com

# Response to Comment Letter No. 31 (Rico Lagattuta)

#### **Response to Comment 31-1**

This comment expresses support for the Project, citing the services and amenities being offered, the protection and improvement of the native environment, and jobs and services brought to the community by the Project. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.



January 16, 2014

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

RE: Support of The Malibu Institute

Dear Ms. Blengini;

I am writing to express my strong support for The Malibu Institute proposal. I reviewed their proposal and was thoroughly impressed with the many benefits this project brings to our community and the surrounding area. The proposal employs cutting edge LEED design architecture and many sustainable design and construction features that are rarely seen in today's developments.

The proposal, which continues to offer a public play golf course in the Santa Monica Mountains, is a definite plus to community golfers and is in concert with the development's inclusiveness for all area residents to enjoy the facilities. The community benefits of the project are many. Perhaps the most impressive are that over 70% of the site will be devoted to open space and that non0native trees on the golf course will be removed, enhancing the local eco6ystem.

I also support the addition of overnight accommodations in the Santa Monica Mountains. These accommodations, coupled with the educational retreat, will be a great asset to our community and the local economy.

Please count me as one of the many supporters of this well planned and highly beneficial project.

Sincerely,

Tom McCluskey

#### Response to Comment Letter No. 32 (Tom McCluskey)

#### **Response to Comment 32-1**

This comment expresses support for the Project, citing the Project's LEED-design architecture, the Project's many sustainable design and construction features, the continuation of a public-play golf course, the dedication of open space, the removal of non-native trees, the enhancing of the local ecosystem, the provision of overnight accommodations, and the development of an educational retreat. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: Dan Meherin <dmeherin1971@yahoo.com>

Subject: In Support of The Malibu Institute Project #201100192

Date: January 22, 2014 8:03:07 PM PST

To: DRP Special Projects <specialprojects@planning.lacounty.gov>

Reply-To: Dan Meherin <dmeherin1971@yahoo.com>

Dear Ms. Blengini,

It is with great pleasure that I write this email in support of The Malibu Institute Project #201100192. I have lived at the foothills of the Santa Monica Mountains in Westlake Village my entire life. They are one of the true treasures in southern California. Nestled in these beautiful rolling hills, the Malibu Golf Club (formerly Perfect Liberty and Malibu Country Club) has been one of my favorite escapes for over thirty years. I have seen the property go through three different owners during this time. The current owner and development group that took over in 2006 have not only made the most improvements to the golf course and the property, but they have also been the most environmentally conscious group by leaps and bounds. Therefore, when I learned about their proposed development project and redesign of the golf course, I was incredibly excited. This piece of property has always had the potential of being a world class facility, and I can think of no better group to bring this plan to fruition. I really admire the transparency they have adopted during the entire process. They have made every effort to both engage and educate the surrounding residents and communities about the many benefits that this project will facilitate. The PowerPoint presentation was incredible! As an avid golfer, I am selfishly excited about having public access to a redesigned golf course that will rival any course (public or private) in the entire nation. However, more importantly, the rededication of open space and their unparalleled commitment to complete this project with a minimal carbon footprint and increased overall sustainability make this project so easy to support. The end result will be a state-of-the-art project right in the backyard of Malibu that others across the nation and around the globe will strive to emulate. Thank you in advance for doing everything in your power to push this project through as quickly as possible. It may sound cliché, but I have not seen another project that is such a win-win for both the community and the environment.

Sincerely,

Dan Meherin

# Response to Comment Letter No. 33 (Dan Meherin)

# **Response to Comment 33-1**

This comment expresses support for the Project, mentioning the transparency of the process and environmental consciousness of the Project's design. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: Richard Morris <rgmorris@polarisnet.net>
Subject: The Mallbu Institute Project #201100192

Date: January 31, 2014 4:08:10 PM PST

To: DRP Special Projects <specialprojects@planning.lacounty.gov>

Reply-To: "rgmorris@polarisnet.net" <rgmorris@polarisnet.net>

Ms. Carolina Biengini Los Angeles County Planning Special Projects Room 1362 320 West Temple Street LA. Calif 90012

Dear Ms. Biengini

I am the chairman of the board of the MariSol Malibu HOA, an 80 acre residential community above County Line Beach approximately 15 minutes from The Malibu Institute's project. I am very familiar with the property as I, and other homeowners, for many years predating the developer's acquisition of the property, have regularly golfed there and have hiked the trails around the property.

We have studied the development plan, personally met with the developer, and have had all our questions answered relative to the plan and the EIR prepared in connection therewith. We are in total support of the project. This is an extraordinarily well thought-out development by a team that is experienced, committed and, from all appearances, capable in achieving the project's goals.

Presently, golf at Malibu Golf Course is so-so at best. The setting is spectacular, but the buildings are unsightly and outdated, the course is in disrepair and has design flaws and the landscaping is not compatible with the native habitat. As a result the course is under-utilized and the golfing experience is barely satisfactory. It gets the play it does because the setting is serene and spectacular and there is no nearby competition. We have often remarked how nice it would be if someone would redevelop the course and make it all that it could be.

The developer has far exceeded anything we would have expected. The redesigned course looks spectacular and the facilities (wellness center, practice facility, restaurants, bungalows) are over the top - truly, a first class golfing/spa experience. Equally remarkable are the environmental enhancements: LEED's design of buildings, tertiary sewage treatment, restoring the spring-fed Trancas creek, eradicating the invasive species and restoring native species, removing the non-indigenous trees and replacing with natives. Frederick Rindge would be so proud to see this property return to the pristine state it was during his ownership and how he described it in *Happy Days in Southern California*.

Bravo to the developer. When developed, visitors will not only experience great golf and spa, but will enjoy the serenity, beauty and uniqueness of the Malibu countryside in a pristine state available nowhere else.

Very truly yours,

Richard Morris Chairman of the Board MariSol Malibu HOA 11312 Yerba Buena Road Malibu, California 90265 (818) 716 2624 (818) 903 7335 cell

#### Response to Comment Letter No. 34 (Richard Morris)

#### **Response to Comment 34-1**

This comment expresses support for the Project, citing the design of the Project, the environmental enhancements, the Project's LEED-design buildings, the use of tertiary sewage treatment, the restoration of Trancas creek, the eradication of invasive species and restoration of native species, and the removal of non-indigenous trees and replacement with natives. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: "PINUPGOLF@aol.com" <PINUPGOLF@aol.com>

Subject: malibu institute

Date: February 6, 2014 6:10:47 PM PST

To: DRP Special Projects < DSpecial Projects@planning.lacounty.gov>

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

Dear Ms. Blengini

I am witting this letter in support of the Malibu Institute project. I have seen the project plan and think it is not only brilliant business plan but a safe environmental plan. The developer has spent much time and research to guarantee the correction of existing environmental conditions. The proposal has wonderful new architecture and cutting edge technology which would be incredible for the area.

35-1

As a Golf Tournament Organizer, I am equally impressed with the golf course layout and facility upgrade. The creation of overnight accommodations would be huge business for the Los Angeles Area as there is nothing like this here. It would bring many more tournaments to Malibu and bring more people to the area, which is great for the local

This project deserves the support of the Regional Planning Office of the County of Los Angeles. I am in strong support of the proposed project.

Sincerely, Jennifer Pennington CEO / President Pin-Up Golf, Inc. 14320 Ventura Blvd. Suite # 197 Sherman Oaks, CA 91423 888-849-3004

# Response to Comment Letter No. 35 (Jennifer Pennington)

# **Response to Comment 35-1**

This comment expresses support for the Project, referencing corrective environmental features and economic benefits for the Los Angeles area. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

**From:** Diane Peterson [mailto:livingthedreammalibu@gmail.com] **Sent:** Wednesday, January 22, 2014 2:50 PM **To:** DRP Special Projects **Cc:** <a href="mailto:Christine@MalibuCommunityNews.com">Christine@MalibuCommunityNews.com</a> **Subject:** The Malibu Institute Project

Dear Ms. Biengini,

I recently reviewed the project in great detail and I would like to lend my support to the developer. I am a Realtor with Coldwell Banker and a resident of Malibu. I feel that the project will be an asset to our community and fill the needs of many looking for a total environment to enjoy golf as well as educational opportunities for our community.

I especially like the fact that there is an offering of over 70% of the site to open space and the removal of non-native trees. Those trees get in the way of my golf ball on many occasions. I love golfing at the Malibu Golf Course and I know these improvements will enhance the golfing experience enjoyed by so many at this facility.

I hope the Planning Office approves this much needed project.

Sincerely,

Diane Peterson -DIANE PETERSON
DRE #00719496
COLDWELL BANKER MALIBU COLONY
310-804-6655

# Response to Comment Letter No. 36 (Diane Peterson)

#### **Response to Comment 36-1**

This comment expresses support for the Project, noting how the golf facility and educational opportunities will be assets to the community, as will the dedication of open space and removal of non-native trees. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

Robertson Schwartz Agency 250 6th St. - 201 Santa Monica, CA 90401

January 25, 2014

Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section, Room 1362
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Biengini,

I am writing to express my support for The Malibu Institute proposal. I reviewed with great interest their proposal and welcome the many benefits that such a project brings to our community. The proposal employs cutting edge LEED design architecture and many sustainable design and construction features rarely seen in most developments today.

The proposal which continues to offer a public play golf course in the Santa Monica Mountains is definite plus for local golfers. The protection of habitat by offering over 70% of the site to permanent open space and the removal of non4native trees on the golf course are equally impressive.

I also support the creation of overnight accommodations in the Santa Monica Mountains which currently does not exist. The accommodations coupled with the educational retreat will be a great asset to the local community and the economy.

Please count me as one of the many supporters of this well planned project. Also know that I am involved in many philanthropic organizations that will be more than eager to hold events at this facility.

Yours truly,

**Ed Robertson** 

# Response to Comment Letter No. 37 (Ed Robertson)

# **Response to Comment 37-1**

This comment expresses support for the Project, referencing Project benefits such as the continued operation of a golf course and sustainable features such as LEED design. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

38-1

# MICHIGAN STATE

January 30, 2014

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

RE: The Malibu Institute Proposed Project

Dear Ms. Blengini,

As a professor, advisor, researcher for Michigan State University in the Turfgrass Management program, I strongly support the proposed Malibu Institute Project.

There are numerous environmentally sound principles being used in the design of the golf course. The turf selection of a drought tolerant hybrid bermudagrass and the upgrade to a state-of-the-art water saving irrigation system will significantly reduce water usage. The incorporated bio-swales and also removal of invasive species in the several ponds on site will ensure a stronger and cleaner Trancas Canyon environment downstream. Also, the removal of several thousand non-native trees, along with restoration of the local native plant materials will produce a product that is cohesive with its local surroundings.

I would hope the County would quickly approve such an environmentally friendly project. My plans are to be intimately involved with this project, with hopes that it will be a showcase and prominent case study for future such projects around the world. This project has my full support and I urge your committee to give it full consideration.

Respectfully yours.

John N. Rogers, III, PhD

Professor

Foundard Control of the Control of t

College of Agriculture and Natural Resources

Department of Plant, Soil and Microbial Sciences

1066 Bogue St. A286 Plant and Soil Science Bldg. Michigan State University East Lansing, MI 48824-6254

517-355-0271

## Response to Comment Letter No. 38 (John N. Rogers)

## **Response to Comment 38-1**

This comment expresses support for the Project, referencing environmental features such as a water-saving irrigation system and the removal of invasive species. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: Claire Saline <claire.saline@gmail.com>
Subject: Malibu Institute Project #201100192
Date: January 31, 2014 4:05:10 PM PST

To: DRP Special Projects <specialprojects@planning.lacounty.gov>

Claire Saline 1569 Flynn Road, Apartment 8103 Camarillo, California 93012 Claire.saline@gmail.com (805) 482 - 5383

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

RE: The Malibu Institute Project #201100192

Dear Ms. Blengini,

I am writing a letter of support for The Malibu Institute project. Having visited the site on several occasions for various events I have fallen in love with the beauty of the surrounding landscape. Having heard of the new project and inquiring about the end result, I cannot be more thrilled that the developers are going to preserve over 450 acres through permanent protection by developing within the current golf course bubble.

Additionally, keeping the facility open to the public and maintaining the golf course and buildings to the most stringent environmental standards should be applauded.

I hope this project is expedited through the Regional Planning Office of the County of Los Angeles for immediate approval.

Sincerely,

Claire Saline

## **Response to Comment Letter No. 39 (Claire Saline)**

## **Response to Comment 39-1**

This comment expresses support for the Project, referencing the open space dedication and environmental features. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

40-1

December 26, 2013

EIR Review No. 201100192

Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section, Room 1362
320 West Temple Street
Los Angeles, CA 90012

A Secretarion

Dear Carolina,

I am writing specifically with regard to the above referenced application for our neighbors, the Malibu Golf Course. After reviewing the recent correspondence and details of the project, as well as what little we've heard from the developers, we believe it is a wonderful project and it is exactly what the area needs and we will certainly be a great help to support the very much needed overnight accommodations in that area, not to mention the continuation of the public golf course. We are thrilled and hopeful that this will absolutely be approved and see no reason why it should not, particularly since this is national recreation area. I just wanted to send you our letter confirming that we very strongly support the project and trust that you and all of your colleagues will certainly approve this well-designed project which contributes greatly to the entire area.

Thank you for considering our comments.

Very truly yours,

Ronald H. Semler,

President

Saddlerock Ranch, dba of the Semler Companies Malibu DEC 3 0 2013

## Response to Comment Letter No. 40 (Ronald Semler)

## **Response to Comment 40-1**

This comment expresses support for the Project, citing the provision of overnight accommodations and the continued operation of the public golf course. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: "stoked1956@verizon.net" <stoked1956@verizon.net>

Subject: the Malibu Institute Project#201100192
Date: January 16, 2014 10:30:39 PM PST

To: DRP Special Projects <specialprojects@planning.lacounty.gov>

Ms. Carolina Begnini; Greetings, I am a 26 year resident of Malibu, also a former Parks and Recreation Commissioner for the City of Malibu.

I have been watching this project very closely, and I must state for the record, I was a casual supporter, and may have had a few concerns about the

overall concept, design and goals of the Malibu Institute.

Without taking up too much of your time, I have, after a thorough review of the entire project, seeing the power point display, and having all my questions answered,

I have nothing but overwhelming support for this Incredible re-design and improvement of this wonderful property. I have spent many years recreating in the

Santa Monica Mountains, and I am thrilled that this amenity will be greatly enhanced for the residents of Los Angeles County, Malibu, Ventura, and visitors from all over the

World can enjoy. Please expedite the approval of this magnificent project, we are all eagerly awaiting the opening of the Malibu Institute.

The generosity that this group has displayed is encouraging to say the least, the dedication of hundreds of acres to open space is fantastic, as well as the re-design and retrofit of the

Golf Course, with its many terrific features will prove to be a much appreciated bonus for everyone.

Please contact me if you have need for me to expand on any of my comments, I am fully in favor of this going forward. Many Thanks, sincerely, Dermot Stoker. 30712 Principio Drive, Malibu. CA, 90265 310-457-1104(H) 310-714-4617(C) stoked1956@veerizon.net

## Response to Comment Letter No. 41 (Dermot Stoker)

## **Response to Comment 41-1**

This comment expresses support for the Project, citing the enhancement of the site for visitors and dedication of open space. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

32885 Mulholland Hwy, Malibu, CA 90265

10 Jan 2014

Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section, Room 1362
320 West Temple Street
Los Angeles, CA 90012

Support of The Malibu Institute HEIR Review number: 201100192

Dear Ms. Blengini,

I am writing to express my support for The Malibu Institute proposal. I am a new "neighbor" to the current course having just moved in this past summer. The institute has been very proactive in providing us information & one can't help but be impressed by what they are proposing8
I just retired from 36 years in the military where one of the jobs I had was as the USCG West Coast (Pacific Area) Maintenance and Logistics command as an Admiral in charge of all operational and support projects for everything we had from the Rockies out to China. I have taken on many environmentally sensitive and large construction projects on or near the waters of the Pacific which I still overlook. With that background, I personally reviewed their proposal and welcomed the many benefits that such a wellHplanned project brings to our community/neighborhood. The proposal employs cutting edge LEED design architecture and many sustainable design and construction features rarely seen, even in California. They are doing it RIGHT! Let them!

The proposal which continuer to offer a public play golf course in the Santa Monica Mountains is a definite plus for my family as local golfers. The protection of habitat by offering over 70% of the site to permanent open space and the removal of nonHhative trees on the golf course is equally impressive. They have been and am confident will continue to be good stewards of our shared landscape.

Even though I live directly above the proposed site, I also support the creation of overnight accommodations in the Santa Monica Mountains which currently does not exist. The "cabins" coupled with the educational retreat will be a great asset to our community and the economy. I am confident they will be respectful as to noise and other potential problems with local residents like us.

Please count me as one of the many supporters of this well planned project8I would be happy to discuss this proposal in person as you or the Commission see fit.

Yours truly,
Tim Sullivan,
Rear Admiral, U.S. Coast Guard (ret)

#### Response to Comment Letter No. 42 (Tim Sullivan)

## **Response to Comment 42-1**

This comment expresses support for the Project, citing the Project's LEED-design architecture, its sustainable design features, the continuation of a public play golf course, the dedication of permanent open space, the removal of non-native trees, the provision of overnight accommodations, and the development of an educational retreat. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

Shan Sutherland 6258 Nita Avenue Woodland Hills, CA 91367 818-635-4689

January 23, 2014

Ms. Carolina Blengini Los Angeles County Department of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

RE: The Malibu Institute Project #201100192

Dear Ms. Blengini,

I am writing in support of the Malibu Institute Project. I love this valley, I love this golf course. It is my opinion, that Tom Hix, Ron Davis, and company, will be good stewards of this special valley.

The vision for the education retreat can be extraordinary. Philanthropy and sustainability is more than a trend, it will be a way of life for countless others. This little think tank, could easily lead the world. We, the community, will help them lead by example and engage all stakeholders. The opportunities for local community to participate, will quickly make this a beloved and protected landmark.

As an avid golfer, I am saddened to see the course close for the period of time. However, I am thrilled to see the birth of something meaningful, for many people in the years to come.

Sincerely.

Mrs. Shan Sutherland

## Response to Comment Letter No. 43 (Shan Sutherland)

## **Response to Comment 43-1**

This comment expresses support for the Project, referencing Project benefits. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

Julie Tobias 5944 Cavalleri Road Malibu, California 90265

Ms. Carolina Blengini
Los Angeles County
Department of Regional Planning
Special Projects Section. Room 1362
320 West Temple Street
Los Angeles, CA 90012

RE: The Malibu Institute Project #201 100192

Dear Ms. Blengini,

Please allow this letter to serve as a statement of strong support for the above mentioned project. It gives me great pleasure to recommend this project for approval as I think the applicant has done an incredible job of addressing some serious environmental issues. I look forward to seeing this project used as an example for other developments.

The applicant has done a great job using a variety of new technology and area experts to undo a lot of the damage that was done previously. I am equally impressed that the applicant has willingly dedicated over 450 acres of permanent open space.

This applicant and above mentioned project deserves the support of the Regional Planning Office of the County of Los Angeles and an expedient approval of the proposed project.

Thank you for this consideration.

Sincerely,

Julie Tobias

## Response to Comment Letter No. 44 (Julie Tobias)

## **Response to Comment 44-1**

This comment expresses support for the Project, referencing corrective environmental features and the dedication of open space. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

Lester Tobias

Architect A.I.A

22223 Pacific Coast Highway

Malibu, California 90265

310.317.0507 Voice

310.317.4507 Fa:

www.tobiasarchitecture.com

lester@toblasarchitecture.com

21 January, 2014

Ms. Carolina Blengini Los Angeles County Dept. of Regional Planning Special Projects Section, Room 1362 320 West Temple Street Los Angeles, CA 90012

Re: The Malibu Institute Project # 201100192

Dear Ms. Blengini,

I write this letter in support of the above mentioned project. The applicant should be lauded for minimizing the potential footprint of buildings, undertaking the reclaimation of the Trancas Watershed headwaters, the overall program for utilization of the institute, and the many low impact and resource conserving technologies that will be employed on the project. I look forward to the Institute's vision being realized.

Sincerely,

4

Lester Tobias
California Licensed Architect
#C22552

FEB 0 4 2014

## Response to Comment Letter No. 45 (Lester Tobias)

#### **Response to Comment 45-1**

This comment expresses support for the Project, referencing Project features that serve to minimize impacts such as minimizing the potential footprint of buildings, reclamation of Trancas watershed headwaters, and the use of resource conservation technologies. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

From: Cami Winikoff <cami@sobini.com>
Subject: The Malibu Institute proposed project
Date: January 23, 2014 6:35:58 PM PST

To: DRP Special Projects <specialprojects@planning.lacounty.gov>

Dear Ms. Blengini,

I've lived in Malibu for many years and have always been very concerned with environmental issues, however it is clear that the Malibu Institute project developer has taken the time to understand sustainable development.

The following is just a few of the many extraordinary benefits of the proposed project:

- The project proposes to remove the numerous invasive species from the existing ponds that impact the Trancas Creek.
- The removal of over 200,000 sq. ft. of old impervious asphalt parking lots, driveways and cart paths and replace them with a pervious material benefitting the ground water condition.
- The removal of over 2000 non-native trees from the golf course and replanting native vegetation.
- The use of LEED's design to create sustainable energy efficient buildings.
- The removal of large outdoor lights and replacement with lighting that supports the Dark Sky Initiative.
- The creation of overnight accommodations and meeting space in the Santa Monica Mountains and the creation of new jobs.
- The voluntary preservation and permanent protection of nearly 500 acres of valuable open space without the need for one of the agencies to purchase the property.
- The removal of existing septic systems and the replacement with a tertiary sewer treatment system, which will help reduce nitrate loading of our groundwater.
- The introduction of solar arrays on the parking structure to produce a portion of the projects power.
- The redesign of the existing golf course that will use less water in the future and correct the current environmental flaws in the design of the current course.
- The development is proposed 100% within the current developed area with minimal grading on areas that were previously graded.

This project has so many benefits with so little impact. It's truly a model and standard for future development in our region. Needless to say, I strongly support and urge the County to approve this project.

Respectfully yours,

Cami Winikoff

## Response to Comment Letter No. 46 (Cami Winikoff)

#### **Response to Comment 46-1**

This comment expresses support for the Project and cites a list of benefits of the Project, including, but not limited to, removing invasive species from the existing ponds, removing impervious asphalt, and removing non-native trees. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

1		HEARING EXAMINER HEAR	ING
2		MALIBU GOLF CLUB	
3			
4	ME	ETING PLACE: MALIBU GOL	F CLUB
5		901 ENCINAL CANYON ROA	AD
6		MALIBU, CA 90263	
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11			
12			
13		TRANSCRIPT OF PROCEEDING	NGS
14		MALIBU, CALIFORNIA	
15		THURSDAY, JANUARY 16, 2	2014
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22			
23			DANA D. FORBES COURT REPORTING
24	REPORTED BY:		25766 ALTA DRIVE VALENCIA, CA 91355
25	DANA D. FORBES,	CSR NO. 8095	(661) 904-5117

Transcript of Proceedings, taken at 901 Encinal Canyon Road, Malibu, California, commencing at 5:03 p.m. on Thursday, January 16, 2014, heard before Paul McCarthy, Hearing Examiner, reported by DANA D. FORBES, CSR No. 8095. 

1	APPEARANCES:		
2			
3	Hearing Examiner	Paul McCarthy	
4	Staff	Sam Dea Rosie Ruiz	
5		NOSTE NOTE	
6			
7	<u>Public Speakers</u> :		<u>Page</u>
8	Thomas Hix		12
9	Matthew Horns		26
10	Tim Sullivan		27
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1	INDEX
2	PART I - PLEDGE OF ALLEGIANCE
3	1. Hearing Examiner
4	PART II - PUBLIC HEARING
5	Special Projects:
6	2. Project No. TR071 735-(3)
7	Applicant: Malibu Institute 901 Encinal Canyon Road
8	The Malibu Zoned District
9	a. Vesting Tentative Tract Map No. 071735 To reconfigure the existing parcels and create a total of 7 lots over the 650-acre Project site
10	with 2 lots containing the Project development and 5 lots dedicated as permanent open space.
11	b. Conditional Use Permit No. 201100122
12	To authorize the following: development and
13	operation of a sports-oriented educational retreat facility and a golf course (18-hole),
14	educational and meeting facilities with a cafeteria and lounge, overnight visitor-serving
15	accommodations for a maximum of 320 guests, a clubhouse with a restaurant/lounge and
16	fitness/wellness center and accessory buildings; the continued sale of alcoholic beverages for
17	on-site consumption; on-site accessory live entertainment in the clubhouse and conference
18	facility; on-site grading of 120,000 cubic yards of cut and 120,000 cubic yards of fill; the relocation and operation of a helipad in the R-R
19	zone for emergency use by LACFD; and the continued use of a caretaker's residence in the
20	R-R zone.
21	c. Parking Permit No. 20 1100005  To authorize shared use of 387 parking spaces
22	for guests, visitors, and employees associated
23	with proposed development of 2 lots within the Project boundary.
24	d. Environmental Assessment No. 201100192
25	A Draft Environmental Impact Report has been prepared pursuant to CEQA report requirements

1	PART III - PUBLIC COMMENT :
2	3. Public comment pursuant to Section 54954.3 of the Government Code
3	PART IV - ADJOURNMENT
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1 MALIBU, CALIFORNIA, THURSDAY, JANUARY 16, 2014 2 P.M. - 5:41 P.M. 5:03 3 ---000---4 5 MR. McCARTHY: Good evening. We're going to open 6 the hearing examiner meeting for the County of Los 7 Angeles Department of Regional Planning. The date, for 8 the record, is January 16, 2014, and we are meeting at 9 the Malibu Golf Club, 901 Encinal Canyon Road, Malibu, 10 California, 90263. 11 We will start the meeting with the Pledge of 12 Allegiance if everyone will stand. 13 (Pledge of Allegiance) 14 MR. McCARTHY: Now, these proceedings deal with the 15 preparation of an environmental impact report, which is 16 required by the California Environmental Quality Act. 17 And that report has been distributed, and many of you 18 probably have had an opportunity to look at it. 19 And so this proceeding is to give you an 20 opportunity to comment on that report. Do you feel it's 21 a good report, an adequate report? Whatever your 22 comments are, this is your opportunity to speak. 23 we have a court reporter here, and we will be 24 taking down all of the testimony and that testimony will

be presented to a group that works on the Environmental

25

Impact Report, and they will be required to respond to each and every comment that you submit here tonight.

Now, if you don't want to speak -- some people feel a little uncomfortable speaking in public -- or if you know a friend who couldn't make it tonight, they can write us a letter. And the last day to comment would be February 7. And the address is the Department of Regional Planning, 320 West Temple Street, L.A., 90012. And I suppose, if you attention that to Mr. Dea, it will get to Mr. Dea's section, D-e-a.

Normally we have a pretty strict time limit of only three minutes. Sometimes we've had as many as 100 people who wanted to testify in one evening. It doesn't look like we have that kind of a large group tonight; so we might be a little more lenient on the timeframe. But most people get their comments completed within three minutes. If you slip over, again, it doesn't look like we're going to have a problem tonight.

We're going to start with a report from staff
member Sam Dea, who has been working on the project, to
give you an outline of what is really on the table
tonight, what the applicant is proposing. Mr. Dea?

MR. DEA: Thank you, Paul. My name is Samuel Dea.

I am the lead planner for this project that is known as

Malibu Institute. It's located at 901 Encinal Canyon

Road. The property is approximately 650 acres, and it's currently developed with a golf course.

The entitlement requested by the applicant is a Vesting Tentative Tract Map, a Conditional Use Permit, a Parking Permit, and what's also under consideration is an Environmental Impact Report to analyze the impacts of the proposed development.

The project site is located in the unincorporated area of Malibu that's south of the City of Westlake Village and north of the City of Malibu.

The property is zoned Resort and Recreation, live Agricultural, Residential Planned Development, and the land use designation for the subject property is Mountain Land, Rural Land I, II, and III.

The proposed project component consists of reconfiguring an existing 18-hole golf course, provide visitor-serving overnight accommodations with 40 bungalows, an educational and meeting facility, a clubhouse, a fitness and wellness center and outdoor swimming pool, a golf pro shop with a restaurant, a cart storage warehouse and maintenance building for the operation and maintenance of the project.

Infrastructure improvements for this project consist of an on-site wastewater treatment and water recycling facility, also removal of non-native trees and

planting of native drought tolerant species and removal of non-native aquatic species in the existing ponds on the subject property and certain water quality improvements on the property as well.

This is a couple visual simulations of what the project will look like. On top is the existing view of the project site from Encinal Canyon Road. The slide on the bottom is a simulation of what the project would look like with the proposed development.

The Draft Environmental Impact Report that has been released for public comments looked at areas such as aesthetic qualities and visual resources, air quality, biological resources, cultural resources, geology, greenhouse gas and climate change, hazards and hazardous materials, hydrology and water quality, land use and noise, public services including fire and police protection, recreation, transportation and traffic, utilities, impact to utilities including water supply, waste water, solid waste, and energy.

The document looked at all these areas that I have mentioned, and it found with the implementation of the proposed mitigations, all the impacts that we looked at including aesthetic qualities and visual resources, air quality, biological resources, cultural resources, hazards and hazardous material, hydrology and water

quality were found to be less than significant with the proposed mitigation measures.

Areas also found to be less than significant with the implementation of the mitigation includes noise, public services, recreation, transportation, utilities, and services. And what the EIR concluded with the mitigation is these areas that have been analyzed will not have -- as analyzed for the proposed development will not create any significant impact to the environment.

The document also points out areas that we did look into and found not to be significant or have any impacts that warrant further review and that includes agricultural forestry resources and mineral resources, population and housing, public services including schools, libraries, and other type of similar public services.

Just a brief history of the project site, the existing golf course has been operating for quite sometime. The last round of entitlement that the county considered back in 1999 was to approve a Conditional Use Permit to allow the continued operation of this golf course along with the clubhouse and three caretaker units located on the property.

Back in 2011 an application was received by the

county for the current land use request which includes the reconfiguration of the golf course, and development of the Institute consists of the combination overnight accommodation and the conference building.

The county's currently going through the entitlement process and the hearing examiner's part of this public hearing process for this project.

Before I close the presentation, just a couple key points about this project's planning process and what's going on after this hearing.

So currently we have released the draft EIR for public comments with a 60-day comment period starting from December 9 to February 7, and we scheduled a hearing examiner public hearing to take testimonies on the document as well as the project itself. That's why we're here today.

The next step is that once we get all of the written comments as well as any verbal comments that you are providing tonight, we will prepare a response to all these comments.

And at some future point we will schedule another public hearing before the Planning Commission for the Planning Commission as a decision body to consider the project entitlement and certification of the draft EIR. And that concludes my presentation.

MR. McCARTHY: Very well. Thank you. How many people here -- raise hands -- how many people here wish to testify tonight? And we have the applicant's representatives that are going to testify as well? Everyone who is going to testify, please stand so I can swear you in.

Please raise your right hand. Do you and each of you swear or affirm under penalty of perjury that the testimony you may give in the matter now pending before this hearing examiner shall be the truth, the whole truth, and nothing but the truth?

(All say yes.)

MR. McCARTHY: Please be seated. The applicant may come forward if he desires to give a presentation. The applicant has 15 minutes. I don't believe you will need that. Thank you. Give us your name for the record and spell it phonetically.

MR. HIX: Good evening. Tom Hix, H-i-x. I'm the managing member of Malibu Associates, the ownership entity. Thank you all for coming this evening. I'd like to walk through a brief presentation of what we're proposing. Some has been covered by Mr. Dea in his presentation, but we'll highlight some of the areas from our position.

As you all may know, we're part of the Santa Monica

Mountain National Recreation Area. We're located right here. We're the headwaters of the Trancas Creek; so everything that goes into the Trancas Creek begins on our site.

We worked very closely with the National Park
Service for the last year and a half to deal with some
of the concerns that they had back in 1999 when the
project was going through its Conditional Use Permit.

We believe we've satisfied all their water quality issues, and in addition to that they've agreed to accept our open space dedication. We have a letter of conditional acceptance from them for 500 acres of open space that we'll be creating.

Historically on this location even predating the golf course that has been here since the early 70's, there was an old hunting lodge up on the upper portion that still exists today. It's boarded up and pretty much falling in on itself, built in 1928.

We've done all the historical analysis, and there's really nothing of any significance because it's been remodeled several times throughout the years. That building will come down, and that will be part of our open space.

Just below it there is a caretaker residence that was built in 1914. That will remain, and that will be

part of the open space.

Our entity purchased the property in 2006. Since then we've done some minor improvements. One of the major issues here, I think, it was perceived to be a private club. It was called Malibu Country Club. I think it was a perception throughout the community that it was private.

We changed the name to the Malibu Golf Club to make certain everyone knew that it would be public, and it will continue to be public in the new project as well.

One of the benefits of the project, we have 29 legal parcels as the property sits today spread out all through the area that's green, and what we've proposed is that we will go down to two development parcels. One would be the golf course and one would be the development area.

I believe there are five other parcels that would be part of the open space so just under 500 acres of permanent open space, and that's what we've been talking with the National Park Service about taking over that property. They were interested because we are, again, the headwaters of the Trancas Creek; so this is their watershed area.

We self imposed a boundary on ourselves when we started this process. It's hard to see, but there's a

purple boundary that outlines the existing disturbed and developed area of the property. The building we're in right now is roughly right here. The rest of the boundary is the existing golf course that's here. So that's approximately 150 acres of the total 650-acre site.

So as we began the process, we set out to stay 100 percent within that previously disturbed area; so none of the proposed development that we're doing will be outside that area.

It's a little hard to see on here, but the development area, if we take out the first fairway which is right in front of us outside this window, the eighth green, the ninth green, and the first green -- that's this area here -- so within that same 150-acre development area that we pointed out earlier will be -- that takes that existing area from 10 acres to 20 acres and also redesigning the entire new golf course dealing with a lot of the environmental issues that have been created from the previous design, most importantly some of the ones that sit on the seventh hole -- seventh green rather and the ninth green that currently drain directly into the pond.

The old course was built with greens that are not USGA standards; so they don't have the proper filtration

the new courses have today. So the new course will be built with USGA greens and buffer areas and traps that will collect any water that should happen to run off the green before it goes into the pond. There are a couple locations on site that exist today, and those will all be corrected.

Here, again, is that 20-acre development bubble again within the 150-acre current development area. This is the existing seventh hole. You can see how this drains. There's a drain right here actually that takes any water that runs off the drain, it takes it directly into the existing pond which, again, is the headwaters of the Trancas.

All of the new course will have bioswales that collect anything in addition to the greens being built in a much more environmentally friendly way.

So, again, the redeveloped golf course is within an area that is actually less than the current area. We were able to configure a new 18-hole course that actually picks up a couple hundred yards and is designed to be a friendlier, more playable course than what's out there today.

Part of that is by removing the 2,000 or so non-native trees that exist out here today. That opens up a few areas that allows us to expand the golf course.

We go from currently about 80 acres of irrigated turf down to 60 acres of irrigated turf.

Again, a blowup of the development bubble, the existing building we're in right now. We looked at trying to utilize this building, and we've had two options covered in our EIR. However, we're going for LEED's platinum or something equivalent to that, and so to try to utilize this building that's built with older dated materials, it didn't work.

So we're using this footprint. Our new Malibu

Institute building will be here, which will be the
meeting space and restaurant, the 40 overnight bungalows
built on the first fairway and up on the existing
helicopter pad.

The existing parking lot is right here. The event lawn that we have is right here, and this is our existing maintenance facility. That's where the new parking will be created, roughly 389 stalls.

And all three parking areas will be covered parking for shade and on top of that cover will be solar rays with the goal of getting close to net zero, if we can get there currently, or about two thirds of our energy is proposed from the solar on site.

We're looking at some solar air conditioning that will also have a byproduct of heating our pool, and our

buildings will all have radiant heating; so the solar will actually heat the radiant heating.

So this is the first hole is our current second hole. At that location will be our pro shop. So for daily fee golf, you'll come in here, check in, get a golf cart, and drive up here.

On the first tee, which is our existing second tee, will be a pro shop building with a grill. We don't have a driving range currently today. And when we self imposed that 150-acre boundary on ourselves of the existing disturbed area, we didn't have an additional 10 acres to create a new driving range for the project; so we came up with a very innovative solution to that.

We created eight internal bays inside this building. Each of those will have a screen inside that gives you incredible feedback, how far your ball would have gone. It can also be set up like a driving range or golf course of eight bays, there's two four-somes. At night it can be used for training and golf lessons.

On top of this building utilizing the green roof on this building -- by the way, I failed to mention that all the other -- the majority of all the other buildings will have green roofs on them. On this particular building the green roof will also be the tee box for the first hole.

From an environmental standpoint, we're fortunate to be able to start with a project that, as you mentioned previously, has been here for a long time. So some of the things that were done in the past were done incorrectly and we have an opportunity to correct those.

This particular site is a picture of Agoura Road.

This is the Hilton Foundation LEED's platinum building.

Similar to what they did, this will be the solar rays that we'll create on top of the shaded parking structures, and then we will remove all the existing large lighting poles we have in the parking lot today. Those will all come down, and we'll create lighting that all complies with the dark sky initiative.

We'll have electrical vehicle chargers for electrical cars. We'll also have a fleet of electrical cars that may be rented for folks that come in on a bus that we may pick up at the airport; so we'll have electric cars that they can rent to go into Malibu or other areas.

To obtain the LEED's platinum, it's a very lofty goal. But to get there, it's all about the building materials that you use.

One of the construction types we're looking at right now is ICF block. These are recycled foam blocks that are stacked on top of each other kind of like Legos

and then they're filled with concrete; so the R-factor is very high. We'll have radiant heating in the floor and, if we're successful with the solar cooling we're looking at, there will be cooling coils in the ceiling, all recycled material, no wood products other than recycled wood.

Additionally, from an operational standpoint, we're working with a group out of the Bay Area that creates these waste recycling machines so all of the kitchen waste that's created here on site will go 100 percent into this unit here. It's about an eight-hour process, and it takes it and dries it out and creates a mulch that we can use on site.

Some of these areas here, if you can read these, are air quality, water quality, all these different aspects of the buildings, a lot of them are covered by LEED's.

we're also working with Corning glass to look at windows that actually you hit a button and they go dark; so no need for curtains . You can set a timer, and the windows will gradually open up in the heat in the morning rather and have natural light to wake you up.

Fuel modification, we've worked very closely with L.A. County Fire. The boundary that we have is also our fuel modification boundary and working with them for the

proper types of planting, again, removing a lot of the non-native trees that are out there today, the palm trees and the pines that are pretty -- they're fire hazards -- along with eucalyptus trees will be very helpful to the fuel modification.

Obviously, drought tolerant planting for any of the new planting that goes around the building or around the golf course.

We have approximately 200,000 square feet of asphalt out here today between our cart paths and our parking lots.

Our parking lot currently drains directly into the Trancas Creek with no filtration. So when we get rains, it runs right down into the Trancas Creek.

we'll remove all of the asphalt and replace it with permeable materials. Our cart paths will be something of this nature here. We're working on a couple different designs but a natural cart path with collection basins that all go into bioswales; so major improvements in our water quality.

As I mention water quality improvements, all the areas will filter into bioswales on the golf course as well as in the parking areas. This water will be reused on our green roofs that will be on the majority of the buildings. Some of the buildings will actually have

herb gardens, things like that that we can use in our restaurant.

Obviously, all of Malibu or the majority of Malibu is on septic systems today. Part of our water quality issues probably have something to do with our old septic systems that we have that are just below this building here that unfortunately perk into the ponds the way that it runs right now.

We'll correct that process. The septic systems come out. We do a package plant on site, tertiary water, pump that water up to the eastern portion of our golf course, and it will be used on our golf course. Roughly 10 to 15 percent of our water use for the golf course will come from the treated plant.

The other golf course enhancements, there are a couple areas in here where we'll remove the non-native trees, replant those with oaks and sycamores. All the palm trees come out, the pines, eucalyptus.

We retained Mountains Restoration Trust recently to collect all of our acorns to start to grow all of our own native stock. This spring we'll be doing the same thing for the sycamore trees.

From a golf standpoint, big corrections in the existing golf course quality. The system that's out there for irrigation today is probably 35 to 40 percent

efficient. We'll be having the new state-of-the-art irrigation systems that are getting close to 90 percent efficiency. They have sensors that go into the ground that detect exactly when the water is needed. We'll be switching to a hybrid Bermuda grass for our turf, which is a warm season grass, much better and much more drought resistant than the current grass out here today; switching to hybrid and electric mowing equipment to reduce the noise and pollution from the existing gas powered equipment. Again, the mulch that we create from our kitchen together with our grass clippings will be used on site.

Major improvements in water quality also in the existing situation with invasive species. The ponds that are out there today actually predate the golf course and, as I pointed out earlier, the hunting lodge that was here and fishing lodge, these ponds go back to earlier in the 20's. It was actually Trancas Lakes. This is a picture of a pond out there today. It's kind of overgrown.

All of these species were taken out. We retained Dr. Lee Kats from Pepperdine. We've been working with him well over a year. These are actually pictures that come from the pond itself. It's bass, catfish, bluegill, mosquito fish, and this critter here,

Mississippi cray fish, which was used for baits. They were the invasive species that would go downstream.

Again, we're the headwaters of the Trancas; so anything that happens here leaves this site and creates problems downstream in the Trancas.

So we worked with Dr. Kats to come up with a program to drain these ponds, clean out the invasives, and then restock them with native species, the newts and the frogs that should be here along with the Western pond turtle.

We have about seven Western pond turtles in the ponds today that we've tagged. They're all mature 20-to 25-year-old adults and no juveniles because of the invasive species problem.

One of the things we can do with Pepperdine when dealing with their students is actually create a living laboratory that we can document all the things we can do and correct the habitat situation that's here today.

We formed our own foundation in 2008, the Malibu Institute Foundation. These are some of the entities that we support currently. The goal will be to create an ongoing revenue stream for community efforts.

A project that we did up in Bend, Oregon, several years back, we created a foundation and over a five-year period gave over a million and half away to local

communities. We plan to do that same thing here.

This kind of concludes the story. The concept, we're taking a pretty tired asset that doesn't work economically. This project is a real drain economically. It's over a million-dollar-a-year negative loss in its current situation.

we take that and make the environmental improvements that we can do here, create close to 500 acres of permanent open space and it will potentially be taken over by the national park.

Working with our educational zoning that we have on site and working with USC, we're creating a program with their USC Marshall School and their business institute to work with some folks to create an institute for the athletes, both collegiate and professional.

We're also working closely with Pepperdine with some of their biology departments; UCLA, their sustainable center and their La Kretz Center, which is right up the road.

So I'll be happy to answer any questions. This concludes our presentation. One thing I might add is we've done quite a bit of community outreach over the last six to eight months, and we're pretty proud to say that we have a lot of community support for the project. Thank you.

MR. McCARTHY: Next speaker?

MR. DEA: In addition to Mr. Hix, we have three other speakers: Kathleen Truman, Matthew Horns, and Bill Trout. Please come forward, Kathleen.

MS. TRUMAN: I'm passing.

MR. DEA: You're passing?

MS. TRUMAN: I'm passing. Thank you.

MR. DEA: Matthew Horns? Please be seated and give us your name and address. And, again, the name has to be phonetically spelled.

MR. HORNS: My name is Matt Horns, H-o-r-n-s. I live at 1040 South Westlake Avenue, Los Angeles, near downtown L.A. And I came all the way out here because I care so much about Trancas Canyon.

I started coming here with my brother and friends in the early 70's when it was still a fishing lodge. There was no golf course. It was just a couple shacks around here. It was beautiful. We love the canyon. We spent many weekends camping in the canyon. It's just absolutely a wonderful place.

So I've been pretty much working in environmental organizations my entire career, and so I'm always looking for a new, better way of developing and building and living and stuff. And this seems like a very good environmentally excellent project. So that's pretty

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much my point.

MR. McCARTHY: Thank you. And next speaker, Mr. Dea?

MR. DEA: The next speaker is also the last on the list, Bill Trout.

MR. TROUT: No.

MR. McCARTHY: Is there anybody else who wants to speak? We don't interrogate you, as you've noticed, if you want to say something. Okay. Come on forward, and we'll have you fill out the card afterwards. Give us your name.

MR. SULLIVAN: My name is Tim Sullivan,

S-u-l-l-i-v-a-n. I live at 32885 Mulholland. It's actually adjacent to this property. I've had a chance, as a previous speaker mentioned, to listen to some of the outreach that was appropriately done for neighbors in the areas, and I've written to the Board in support of this project also.

We're relatively new to the area. I just retired from 36 years in the military and had a chance to, besides operations, to do maintenance logistics for everything west of the Rockies for the U.S. Coast Guard. I've had a chance to run very large maintenance and new projects from Kodiak, Alaska, out to Guam and places farther away; so I'm very familiar with the EIS process

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# Hearing

 $1 \mid \text{and how it works.}$ 

The short version of what I'd like to say is I guess I concur with the previous speaker. This is a very positive environmentally done project that's taken into account any potential negatives. They have taken into account community outreach.

And I think, from what I'm reading -- a lot of my work with the Coast Guard was environmental cleanup. At the end of the day, when you look at where this creek starts and where it ends up -- I also happen to be a fisherman. The reuse or the improvement of this watershed is just huge.

At the end of the day, you're going to end up with a much cleaner watershed which ends up leading to a cleaner Pacific. And we live in such a beautiful community to begin with, Malibu, it would be a shame for any impediment to slow this process down. Thank you very much for your time today.

MR. McCARTHY: Thank you. Anyone else who wishes to speak?

MR. DEA: No. That's all the speaker cards we have today.

MR. McCARTHY: Very well. Again, we want to thank you for coming. I want to summarize briefly for some of you who may not have picked it up initially. The

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comments given today or this evening will be responded to by the people who prepare the Environmental Impact Report. They will be incorporating those response to comments -- that's what we call it, response to comments -- into the final Environmental Impact Report.

So what is on the street today that you've had an opportunity to review is referred to as the draft Environmental Impact Report. The documents that will incorporate the response to comments is called the final Environmental Impact Report, and we'll give that to the Planning Commission for them to review prior to the public hearing downtown.

The public hearing downtown will also allow for public testimony, and that's a little bit different slant on the hearing downtown to hear more project details, if you had an issue with the number of parking spaces or something of that nature, a little bit more of the project details; so you are more than welcome to come down when that occurs.

Now, if we have a project in which we have a large number of speakers -- I mentioned the other one. We had about 126 speakers in one evening -- it might take months to prepare the final EIR.

In this case, obviously, we had a modest number of speakers; so it won't take anywhere near that long to

prepare the response to the EIR.

And we will be putting out new advertising. So the sign out in front of the facility here on the street will have a new notice on it with a new hearing date downtown. All of the property owners who received the notification in the mail will be renoticed with that hearing date as well. So you'll have an opportunity to come down.

If you cannot get downtown on the day of that proceeding and you want to watch the proceeding, we do broadcast them on the web. And so you can go into the county's website and into the Department of Regional Planning and there is a web broadcast for that for those people who want to see it.

Again, you don't have to. It's recorded so you can do it the next day or two. You can do it in the evening if you're not able to do it during the daytime when it's occurring live. And with that -- no additional comments from staff?

MR. DEA: No further comments from staff.

MR. McCARTHY: With that I'm going to close the hearing on the meeting for January 16, 2014, and thank you for coming here tonight.

(Whereupon proceedings were concluded at 5:41 P.M.)

STATE OF CALIFORNIA COUNTY OF LOS ANGELES I, Dana D. Forbes, Certified Shorthand Reporter, Certificate No. 8095, within and for the State of California, hereby certify the following: I am officer who stenographically recorded the testimony in the foregoing hearing; The foregoing transcript is a true record of the testimony given. Dated: January 31, 2014, Valencia, California. Dana D. Forbes, CSR No. 8095 

#### Response to Comments Received During Hearing Examiner's Hearing

The Draft EIR was available for a 60-day public review period from December 9, 2013 to February 7, 2014. On January 16, 2014, a public hearing for taking public testimony on the Draft EIR was held before the Los Angeles County Hearing Examiner at the Malibu Golf Club. Interested persons were given an opportunity to provide comments on the Draft EIR. At this hearing, County staff presented information on the Project and the findings contained in the Draft EIR; this was followed by a presentation by the Applicant. Two members of the public provided comments on the Draft EIR.

#### Response to Comment from Matt Horns (Hearing-1)

The commenter, Mr. Matt Horns, expresses support for the Project, noting that the Project seems like a very good environmentally excellent project. Mr. Horns also submitted written comments, included herein as Comment Letter No. 24. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

### Response to Comment from Tim Sullivan (Hearing-1)

The commenter, Mr. Tim Sullivan, expresses support for the Project, noting that the Project seems like a very positive environmentally done project that takes into account potential negatives. Mr. Sullivan also submitted written comments, included herein as Comment Letter No. 42. This comment is acknowledged for the record and will be forwarded to the decision-makers for their review and consideration.

# 3.0 REVISIONS TO THE DRAFT EIR

Revisions to the Draft EIR have been made to reflect the revisions in the impact analysis in response to public comments on the Draft EIR. Changes to the Draft EIR are indicated in underline/strikeout format. This section includes revisions to the following Draft EIR sections:

- 1.0 Executive Summary
- 5.7 Hazards
- 5.9 Land Use
- 5.11 Public Services

Page 1-6, Table 1-1 of the Executive Summary has been modified as follows:

<u>Table 1-1</u> Summary of Impacts and Mitigation Measures

Description of Impact	Significance of Impact	Proposed Mitigation Measure	Significance After Mitigation
As the Project would develop land uses in an area subject to wildfires, each additional development creates greater demands on existing fire protection resources. As such, the Project would generate a cumulative impact to fire protection services, to which the payment of a Development Impact Mitigation Fee would be required. The developer fee revenues supplement funds available to the Consolidated Fire Protection District of Los Angeles County to provide for the acquisition, construction, improvement and equipping of facilities necessary for the District to deliver fire protection services within the County's Areas of Benefit.	Significant but mitigable	MM5.7-5 Prior to occupancy, the payment of a Development Impact Mitigation Fee for the benefit of the Consolidated Fire Protection District would be required, for the purpose of supplementing funds for the acquisition, construction, improvement and equipping of facilities necessary to deliver fire protection services within the County. The fee shall be based on the applicable County of Los Angeles Developer Fee Program, last updated on November 27, 2012 26, 2013 to be effective February 1, 2013 2014. The newly adopted current Developer Fee developer fee Program for Area of Benefit 1, which includes the Project site, will provides provide for the collection of \$0.9292 \$0.8990 per square foot for new floor area development. Administration and collection of the Developer Fee shall be the responsibility of the Consolidated Fire Protection District of Los Angeles County.	Less than significant

Pages 5.7-13-14 of the Hazards and Hazardous Materials Section have been modified as follows:

# **5.7.5** Cumulative Impacts

The Project in combination with other developments in the area, as described in Section 4.0, Environmental Setting, would not result in significant cumulative impacts regarding hazardous materials because the identified potential hazardous materials impacts would be limited to the site and adjacent uses.

As the Project would develop land uses in an area subject to wildfires, each additional development creates greater demands on existing fire protection resources. As such, the Project would generate a cumulative impact to fire protection services, to which the payment of a Development Impact Mitigation Fee would be required. The Consolidated Fire Protection District Developer Fee Program enforces a Development Impact Mitigation Fee, which is imposed on all new development within the Consolidated Fire Protection District's three Areas of Benefit, of which the Project site is located within Area of Benefit 1, to fund fire protection and emergency medical services. Area of Benefit 1 contains the Cities of Malibu, Calabasas and Agoura, the Santa Monica Mountains and includes all unincorporated areas within the Area boundary. The County of Los Angeles adopted an updated Developer Fee Program for the benefit of the Consolidated Fire Protection District on November 27, 2012 26, 2013, to be effective February 1, 2013 2014. The newly adopted current Developer Fee developer fee Program for Area of Benefit 1 will provides provide for the collection of \$0.9292 \$0.8990 per square foot for new floor area development. Administration and collection of the Developer Fee within the territorial limits of Area of Benefit 1 is the responsibility of the Consolidated Fire Protection District of Los Angeles County. The developer fee revenues supplement funds available to the Consolidated Fire Protection District of Los Angeles County to provide for the acquisition, construction, improvement and equipping of facilities necessary for the District to deliver fire protection services within the County's Areas of Benefit.<sup>2</sup> Mitigation measure MM5.7-5 would require payment of the appropriate Development Impact Mitigation Fee for the benefit of the Consolidated Fire Protection District to reduce cumulative impacts to less than significant (Class II).

Pages 5.7-14-15 of the Hazards and Hazardous Materials Section have been modified as follows:

#### **MM5.7-5**

Prior to occupancy, the payment of a Development Impact Mitigation Fee for the benefit of the Consolidated Fire Protection District would be required, for the purpose of supplementing funds for the acquisition, construction, improvement and equipping of facilities necessary to deliver fire protection services within the County. The fee shall be based on the applicable County of Los Angeles Developer Fee Program, last updated on November 27, 2012 26, 2013, to be effective February 1, 2013 2014. The newly adopted current Developer Fee developer fee Program for Area of Benefit 1, which includes the Project site, will provides provide for the collection of \$0.9292 \$0.8990 per square foot for new floor area development. Administration and collection of the Developer Fee shall be the responsibility of the Consolidated Fire Protection District of Los Angeles County.

Personal communication with Loretta Bagwell, Planning Division, Los Angeles County Fire Department, January 16, 2013.

<sup>&</sup>lt;sup>2</sup> City of Malibu Council Agenda Report, Agenda Item #4A, January 6, 2009.

Pages 5.9-35 of the Land Use Section have been modified as follows:

RCA P18b: Protect, expand, and where feasible, provide new lower cost recreation and visitor-serving facilities, especially public recreational facilities. In particular, consider the feasibility of providing lower-cost hostels in conjunction with development of new hotels. Encourage any new or expanded facilities to utilize sensitive design that is well integrated with the surrounding environment and public access.

Consistent: The Project would remodel an existing golf club and continue to operate the facility as a publicly-accessible recreation resource. The Project's proposed structures would be designed to be sensitive to the surrounding environment and to each other and would work together as a cohesive whole. Buildings would be clustered in the southernmost area of the Project site, and located within the already disturbed and developed area of the existing golf course. Green roofs, natural materials, native landscape and the open space of the golf course would blend together to create a built environment compatible with the steep slopes and ridgelines surrounding its valley setting and maintaining the surrounding viewshed, consistent with this Policy.

Pages 5.9-38 of the Land Use Section have been modified as follows:

#### **Protection of environmental resources**

MLRP P63: Uses shall be permitted in ESHAs, DSRs, Significant Watersheds, and Significant Oak Woodlands, and Wildlife Corridors in accordance with Table 1 and all other policies of the LCP.

Consistent: The remodeled golf course portion of the Project would continue to be located outside of the boundaries of the Zuma Canyon Significant Watershed. Thus, the golf course would not be required to comply with the standards contained Table 1 of the Malibu Land Use Plan (Table 1). The Malibu Institute portion of the Project would be located just inside the boundaries of the Zuma Canyon Significant Watershed, and thus, would be required to comply with the standards contained in Table 1. These standards limit development on any parcel within a Significant Watershed to educational facilities, among other resource dependent uses. As the Malibu Institute portion of the Project would be an educational retreat facility, the Project would be consistent with the use requirements of Table 1. Additionally, Table 1 requires development occurring within significant watersheds be clustered and sited as close to the periphery of the Significant Watershed and existing roadways as possible. The Malibu Institute structures would be constructed just inside of, and straddling, the limits of the designated Significant Watershed, would be clustered together within the footprint of the existing disturbed area, and would be developed adjacent to an existing roadway accessing the Project site. In addition, the Project is not generating negative environmental effects to natural resources such as vegetation, streambeds and natural drainages. Therefore, the Project would be consistent with this policy.

Pages 5.9-48-50 of the Land Use Section have been modified as follows:

#### **NEW DEVELOPMENT (ND)**

#### Policy Statement/Goal: Land Use Plan Map.

ND P271: New Development in the Malibu Coastal Zone shall be guided by the Coastal Land Use Plan Map and all pertinent overlay categories. The current Local Coastal Land Use Plan is available on the County's website and pertinent sections of it are included as Exhibits to this Section of the DEIR and in the Project Description of the DEIR (Section 3). All properties are designated for a specific use. These designations reflect the mandates of the California Coastal Act, all policies contained in this Local Coastal Plan, and the constraints and sensitivities of resources present in the coastal zone. All existing zoning categories will be modified as necessary to conform with and carry out the LCP land use plan.

Consistent: The Project and its uses are allowed by the Malibu Local Coastal Program Land Use Plan's Non-Urban Hillside Rural Land I-III land use designations, consistent with this Policy. Zoning on the Project site is consistent with the Land Use designation in the General Plan and the approved uses on the Project site. See Figure 5.9-1 to illustrate consistency with this Policy.

ND P271(a)(3): Visitor Serving Commercial Recreation/Low-Intensity Visitor Serving Commercial Recreation. The principal permitted use is urban and rural visitor-serving commercial recreation uses characterized by large open space areas with limited building coverage such as golf courses, summer camps, equestrian facilities, and recreational vehicle parks. Not all uses are suitable in every location; discretional site review is required.

Visitor Serving Commercial Recreation/Recreation-Serving Commercial. The principal permitted use is recreation-serving commercial uses such as hotels, motels, restaurants, recreations clubs and facilities, and sport equipment sales, etc. Not all types of uses or project scales are suitable in every designated location; discretionary site review is required.

ND P271(a)(1): Residential Rural Land. Generally low-intensity, rural areas characterized by rolling to steep terrain usually outside established rural communities. Principal permitted land uses shall

Consistent: The developed portion of the Project site is designated R-R-1 (Resort and Recreation, One Acre Minimum Lot Size). The Project's principal uses would be the provision of a public golf course, overnight visitor accommodations, restaurants and snack bars, a pro-shop for the sale of sports equipment and related recreational uses, consistent with the Visitor Serving Commercial/Low Intensity Visitor Servicing Commercial uses specified in the Local Coastal Plan. Accordingly, the Project is consistent with this provision of the Local Coastal Plan.

Consistent: The Malibu Institute project is consistent with the 1986 Malibu Land Use Plan (LUP). The Project would remodel the existing 118-acre golf course utilizing design features that will provide an environmentally superior golf course and add an educational facility with overnight accommodations in 40 bungalows to increase visitor access to the Coastal Zone on approximately 20 acres of the 650-acre property. The Project development would occur entirely within the area previously disturbed by the existing golf course. Over 450 acres of the property.

include: large lot residential uses. Low-intensity commercial recreational uses, agriculture activities, the less intensively developed or open space portions of urban and rural developments, and lower cost visitor residential and recreational uses designed for short-term visitor use such as hostels, tent camps, recreational vehicle parks, and similar uses are permitted as a conditional use, provided that any residential use for more than short term visitor occupancy shall not exceed the intensity of use of the equivalent residential density. The following maximum residential density shall apply:

Rural Land I – one dwelling unit per ten acres average, consistent with other policies of the LCP.

Rural Land II – one dwelling unit per five acres average, consistent with other policies of the LCP.

Rural Land III – one dwelling unit per two acres average, consistent with other policies of the LCP.

consisting mostly of undeveloped hillsides, would be dedicated to a public agency as permanent open space. Improvements to the remodeled golf course would remove approximately 1,590 non-native trees, include sand-capping of the fairways and other measures to promote infiltration of stormwater and improve water quality, install photovoltaic panels with the goal of generating the majority of the Project's energy needs, and construct a wastewater treatment system that would generate approximately 40,000 gallons per day to be used to partially irrigate the course. Overall the Project would reduce the use of water on the site by approximately 32% and would retain the last public golf course within the Santa Monica Mountains Coastal Zone. The Project also would restore habitats at the existing golf course ponds, which are hydrologically connected with Trancas Creek. The golf course ponds would be temporarily dewatered to eradicate invasive animals and vegetation and sediment would be removed to improve functional capacity and remove any toxins such as pesticides and herbicides that may have accumulated in bottom sediments. The ponds then would be refilled and replanted with native vegetation. As discussed in this Draft EIR, the Project would have a less than significant impact on the environment.

The Project would consist of less new development than would be allowed under the maximum residential density standards of this policy. According to the LUP Map within the 1986 Malibu LCP Land Use Element, the development area and golf course at the Project site are designated as Rural Lands II and III (RL-II, RL-III). The areas located around the development area, comprising the majority of the 650-acre Project site, are designated Mountain Lands (M2) and Rural Lands (RL-I, RL-II, RL-III). The Rural Land designations allow for the establishment of visitor-serving, resource-based commercial recreation uses characterized by large open space areas, limited building coverage, and minimal modification of the natural environment.

Two of the principal permitted uses of these land use categories are low-intensity commercial recreational uses and lower cost visitor recreational uses. The Project would create a low-intensity project by limiting development to areas of existing disturbance and incorporating LEED Platinum design principles, such as green roofs, moisture sensing irrigation system, solar panels, drought tolerant landscaping, waste recycling, and development of a transportation system utilizing

shuttles and electric vehicles.

Furthermore, the zoning for most of the development area, Resort-Recreation (R-R), is consistent with the Malibu Land Use Plan designation. The R-R zone allows for golf courses with clubhouse facilities by right, and hotels, colleges/universities with appurtenant facilities, guest ranches, restaurants and grading projects with a conditional use permit. Accordingly, these uses are consistent within the designated Rural Land portion of the property.

Permitting development of 224,760 square feet on 20 acres within the larger 650-acre Project site (approximately 0.3% of the total property) balances the need for visitor-serving recreational facilities in the Santa Monica Mountains with the protection of sensitive natural resources. It would allow clustered development in the existing disturbed areas in the southern portion of the Project site, adjacent to Encinal Canvon Road, while maintaining the rural nature of the remaining portions of the Project site consistent with the Land Use Element policies to "enhance recreational opportunities" and "protect the integrity of existing rural communities." The Project would protect the integrity of existing rural community by providing buildings simple in form, function and architectural character to complement the mountainous character of the surrounding property. Landscaping, including mature oaks trees and other native trees, would screen buildings from Encinal Canyon Road and Mulholland Highway.

The majority of the remaining areas of the property designated as M2 (Mountain Lands) and RL-I, II, and III, approximately 450 acres, could potentially be developed with single-family residences and recreational uses. Residential development on these parcels would disturb ESHA and SERA and require large fuel modification buffers. Clustering development on 20 previously disturbed acres, approximately three percent of the 650-acre property, in the southern portion of the property would allow the Project to provide over 450 acres of this undisturbed native habitat as permanently dedicated open space, consistent with the goal of the Malibu LUP to "preserve the unique natural resources and fragile environment of the Malibu/Santa Monica Mountains Coastal Zone for the enjoyment of millions of Los Angeles area residents and visitors." The low-intensity educational retreat therefore would be consistent with the Rural Land I, Rural Land II and Rural Land III designations.

Page 5.11-1 of the Public Services Section has been modified as follows:

#### 5.11.1 Fire Protection

## 5.11.1.1 Existing Conditions

This section describes existing wildfire hazards in and around the Project site, and fire protection/emergency services provided by The Los Angeles County Fire Department (LACFD), which oversees fire prevention requirements for developments and provides firefighting and ambulance services paramedic services (non-transport); patient transport to a hospital is provided by a private ambulance company within the Project vicinity.

Page 5.11-12 of the Public Services Section has been modified as follows:

The County of Los Angeles adopted an updated Developer Fee Program for the benefit of the Consolidated Fire Protection District November 27, 2012, 26, 2013 to be effective February 1, 2013 2014. The newly adopted current Developer Fee developer fee Program for Area of Benefit 1 will provides provide for the collection of \$0.9292 \$0.8990 per square foot for new floor area development.

The following paragraph has been added as the last paragraph of Section 5.11.1.4 on page 5.11-13 in the Public Services Section:

Due to the remote location of the Project site, response times for emergency services could be affected; therefore, the Project will develop an emergency management plan to guide an orderly response to an emergency situation prior to the arrival of first responders. The plan will be distributed to guests and employees and will provide contact information for on-site personnel to assist with emergencies and provide the locations of on-site first aid supplies. The plan will detail routes for an orderly evacuation of the Project's structures and grounds as well as detail other safety options such as shelter-in-place strategies where appropriate. Additionally, the emergency management plan will discuss various potential emergency situations and responses; these include: medical emergencies, earthquakes, flooding/water damage, power outages, and civil unrest/active shooter scenarios. This plan will be finalized and the information will be made available on-site at strategic locations and prior to Project operation.

Footnote number 15 and 18 on Page 5.11-15 of the Public Services Section have been modified as follows:

Page 5.11-16 of the Public Services Section has been modified as follows:

#### **Los Angeles County Code**

<sup>&</sup>lt;sup>15</sup> Email Communication with Sgt. Phillip D Brooks, LACSD 2012. Email communication from Sgt. Phillip D. Brooks, CSD to Envicom Corporation, October 9, 2012.

<sup>&</sup>lt;sup>18</sup> Email Communication with Sgt. Phillip D Brooks, LACSD 2012. Email communication from Sgt. Phillip D. Brooks, CSD to Envicom Corporation, October 9, 2012.

Section 22.74.030 of Chapter 22.74, Law Enforcement, of the County Code imposes a law enforcement facilities mitigation fee on new residential, commercial, office, and/or industrial development projects. The amount of the fee is based upon the findings and conclusions set forth in the "Santa Clarita-North Los Angeles County Law Enforcement Facilities Fee Study, October 29, 2007," and shall not exceed the reasonable cost of providing law enforcement facilities for such residential, commercial, office and/or industrial development projects. It is a uniform fee within each law enforcement facilities fee zone based on the estimated cost of providing the projected law enforcement facility needs in each such zone.

The following paragraph has been added as the last paragraph of Section 5.11.2.4 on page 5.11-17 in the Public Services Section:

Additionally, no unique law enforcement problems are anticipated. The Project would not result in unique law enforcement problems; however, due to the remote location, response times for emergency services could be affected. Therefore, the Project will develop an emergency management plan to guide an orderly response to an emergency situation prior to the arrival of first responders. The plan will be distributed to guests and employees and will provide contact information for on-site personnel to assist with emergencies and provide the locations of on-site first aid supplies. The plan will detail routes for an orderly evacuation of the Project's structures and grounds as well as detail other safety options such as shelter-in-place strategies where appropriate. Additionally, the emergency management plan will discuss various potential emergency situations and responses; these include: medical emergencies, earthquakes, flooding/water damage, power outages, and civil unrest/active shooter scenarios. This plan will be finalized and the information will be made available on-site at strategic locations and prior to Project operation.

Footnote number 19 on Page 5.11-17 of the Public Services Section has been modified as follows:

<sup>&</sup>lt;sup>19</sup> Email Communication with Sgt. Phillip D Brooks, LACSD 2012. Email Communication from Sgt. Phillip D. Brooks, LACSD to Envicom Corporation, October 9, 2012.

# 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) contains all Project mitigation measures, implementation actions, timing, and identifies the party responsible for verification or monitoring.

# MITIGATION MONITORING AND REPORTING PROGRAM THE MALIBU INSTITUTE

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.1-1	Aesthetics	Building materials compatible in color tone and/or texture with the surrounding natural terrain shall be employed on the exteriors of all structures and retaining walls, with the exception of solar panels to be installed above the parking lot shade structures.	Submit building material color and/or texture for review and approval	Prior to issuance of applicable building permit(s)	Architect, Landscape Architect	County of Los Angeles Department of Regional Planning
5.1-2	Aesthetics	Aesthetically compatible native landscaping shall be provided along the Project entrance (Clubhouse Drive) to screen vehicle lights within onsite parking and driveway areas from Encinal Canyon Road.	Prepare and submit Landscaping Plan for review and approval	Prior to issuance of building permit	Applicant, Landscape Architect	County of Los Angeles Department of Regional Planning
5.1-3	Aesthetics	The applicant's detailed landscape plan shall be designed to provide aesthetically compatible accenting to and/or visual screening of the Project's hardscape features and walls, as viewed from the identified public viewpoints. With the exception of the golf course greens and turf, the majority of the landscaping shall use native species of plants, shrubs and grasses. Prior to the issuance of building permits, the landscaping plan shall be reviewed and approved by the County of Los Angeles Department of Regional Planning and Fire Department, and shall address the following:  • Landscaping shall be provided in a manner consistent with fire safety needs, to help conceal	Prepare and submit Landscaping Plan for review and approval	Prior to issuance of building permit	Applicant, Landscape Architect	County of Los Angeles Department of Regional Planning  Los Angeles County Fire Department – Fuel Modification Unit.

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		visible linear elements and hard			V	
		edge surface effects resulting				
		from site grading, the use of				
		retaining walls, and the				
		construction of new buildings.				
		• Street trees and median trees,				
		compatible with the adjacent				
		undeveloped areas, shall be				
		planted along Clubhouse Drive,				
		and at the main entrance adjacent				
		to Encinal Canyon Road.				
		• Appropriate landscaping,				
		including trees and vegetated				
		walls, shall be planted to				
		minimize views of retaining				
		walls.				
		<ul> <li>Project landscaping shall consist</li> </ul>				
		of native fire retardant species				
		included on the Los Angeles				
		County Fire Department Fuel				
		Modification Plan Guidelines,				
		located to partially screen views				
		of the structural components of				
		the Project from public viewpoint				
		areas as identified above under				
		the subheading Existing Views				
		from Scenic Highways and Trails.				
		Landscaping shall be compatible				
		with the character of the				
		surroundings and architectural				
		style of the structures.				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.2-1	Air Quality	The applicant shall prepare a Construction Management Plan to comply with SCAQMD established minimum requirements for construction activities to reduce fugitive dust emissions. The Plan shall include the following dust control measures:	submit Construction Management Plan for review and approval B. Maintain a log	Prior to issuance of grading permit  During	Applicant, Grading Contractor  Applicant, Grading	County of Los Angeles Department of Regional Planning SCAQMD  County of Los
		<ul> <li>The simultaneous mass grading disturbance area shall be limited to 10 acres per day. Application of soil stabilizers to inactive areas according to manufacturers specifications (previously graded areas inactive for ten days or more);</li> <li>Preparation of a high wind dust control plan, implementation of plan elements, and termination of soil disturbance when winds gusts exceed 25 mph;</li> <li>Stabilization of previously disturbed areas if subsequent construction is delayed;</li> <li>Covering all stockpiles with tarps if left unattended for more than 48 hours;</li> <li>All trucks hauling dirt, sand, soil or other loose materials are to be covered;</li> <li>Appoint a construction relations officer to act as community</li> </ul>	demonstrating compliance	construction	Grading Contractor	Angeles Department of Regional Planning SCAQMD

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		liaison concerning on-site construction activity including resolution of issues related to PM-10 generation.  • Portions of the site that are undergoing surface earth moving operations shall be watered. Exposed surfaces and haul roads will be watered three times/day.  • Vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.  • Construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned after each workday. The maximum vehicle speed on unpaved roads shall be 15 mph.  • Grading operations shall be suspended during any first stage ozone episodes.				
5.2-2	Air Quality	Non-particulate construction activity emissions are not predicted to exceed SCAQMD CEQA thresholds. Nonetheless, the following control	demonstrating compliance	During construction	Applicant, Grading Contractor	County of Los Angeles Department of Regional Planning SCAQMD
			B. Site inspection	During	Applicant,	County of Los

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<ul> <li>Construction parking shall be configured to minimize the potential for traffic interference and vehicle idling.</li> <li>Any construction equipment using direct internal combustion engines shall use a diesel fuel with a maximum of 0.05 percent sulfur and a four-degree retard.</li> <li>Equipment and vehicle engines shall be maintained in good condition and in proper tune, according to manufacturer's specifications and per SCAQMD rules, to minimize exhaust emissions. Tier 3 rated engines shall be used for all equipment during site grading, if available.</li> <li>Equipment whose engines are equipped with diesel oxidation catalysts shall be utilized, if available. Construction operations affecting off-site roadways shall minimize obstruction of through-traffic lanes and shall be limited to off-peak hours, as permitted. Truck deliveries occurring during construction shall be consolidated to the extent feasible.</li> </ul>	as needed	construction	Grading Contractor	Angeles Department of Regional Planning SCAQMD

#	Environmental Factor	Mitigation	Act	tion Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<ul> <li>Idling trucks or heavy equipment shall turn off their engines if the expected duration of idling exceeds five (5) minutes as required by law.</li> <li>On-site heavy equipment used during grading and construction shall be equipped with diesel particulate filters if feasible.</li> <li>All building construction shall comply with energy use guidelines in Title 24 of the California Code of Regulations.</li> <li>Construction equipment operations shall be suspended during any first stage smog alert.</li> <li>Low VOC architectural and asphalt coatings shall be used on site and shall comply with AQMD Rule 1113-Architectural Coatings.</li> </ul>					
5.2-3	Air Quality	Operational emissions are not predicted to exceed SCAQMD CEQA thresholds. Nonetheless, to further reduce potential operational emissions, the applicant shall		Install gas lines for any hearths	Prior to certificate of building occupancy	Applicant, Architect	County of Los Angeles Department of Regional Planning
		install gas lines for any hearth applications and prohibit wood burning in Project hearths.		Prohibit wood burning in hearths and provide notification of this policy to guests. Maintain a log	During operation	Applicant	County of Los Angeles Department of Regional Planning

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
			demonstrating compliance.			
5.3-1	Biological Resources	Prior to the issuance of a grading permit, a qualified biologist shall be retained by the Applicant as the lead biological monitor subject to the approval of the	A. Provide proof of retainer of biological monitor	Prior to issuance of grading permit	Applicant	County of Los Angeles Department of Regional Planning
		LACDRP and CDFW. That person shall ensure that impacts to all biological resources are minimized or avoided, and shall conduct (or supervise) pre-grading field surveys for species that may be avoided, affected, or eliminated as a result of grading or any other site preparation activities. The lead biological monitor shall ensure that all surveys are conducted by qualified personnel (e.g. avian biologists for bird surveys, herpetologists for reptile surveys, etc.) and that they possess all necessary permits and memoranda of understanding with the appropriate agencies for the handling of potentially-occurring special-status species. The lead biological monitor shall also ensure that daily monitoring reports (e.g., survey results, protective actions, results of protective actions, adaptive measures, etc) are prepared, and shall make these monitoring reports available to LACDRP and CDFW at their request.	B. Have the monitoring reports available for review upon request	During construction	Applicant, biological monitor	County of Los Angeles Department of Regional Planning
5.3-2	<b>Biological Resources</b>	To compensate for the loss of the locally	A. Prepare and	Prior to	Applicant /	County of Los
		sensitive Plummer's mariposa lily,	submit	issuance of	biological	Angeles Department

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-2	Biological Resources	Plummer's mariposa lilies shall be replaced at a minimum 2:1 ratio within suitable habitats on the Project site in an area to be preserved as permanent open space. A Plummer's Mariposa Lily Mitigation and Monitoring Plan that	1	grading permit  Beginning prior	consultant Applicant /	of Regional Planning  County of Los
	provides for the replacement of the Plummer's mariposa lilies impacted by project construction shall be developed by a qualified biologist and approved by LACDRP prior to issuance of the grading permit for the Project. The Plan shall specify the following:	Plummer's Mariposa Lily Mitigation and Monitoring Plan	to the initiation of construction activities and continuing for five years subsequent to occupancy	biological consultant	Angeles Department of Regional Planning	
		<ul> <li>a summary of impacts;</li> <li>the location of the mitigation site;</li> <li>methods for harvesting seeds or salvaging and transplantation of individual bulbs to be impacted;</li> <li>measures for propagating plants or transferring living bulbs from the salvage site to the mitigation site;</li> <li>site preparation procedures for the mitigation site;</li> <li>a schedule and action plan to maintain and monitor the mitigation area;</li> <li>criteria and performance standards by which to measure the success of the mitigation,</li> </ul>	C. Prepare Annual and Final Monitoring Reports	Every March for five years following project occupancy or until all performance standards have been met, whichever period is longer	Applicant / biological consultant	County of Los Angeles Department of Regional Planning

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		including replacement of impacted lilies at a minimum 2:1 ratio;				
		<ul> <li>measures to exclude unauthorized entry into the mitigation areas; and</li> </ul>				
		contingency measures such as replanting or weeding in the event that mitigation efforts are not successful. The performance standards for the Plummer's Mariposa Lily Mitigation and Monitoring Plan shall be at a minimum the following:				
		<ul> <li>Within five years after introducing the Plummer's mariposa lily to the mitigation site, the number of established, reproductive plants shall be no less than 2x the number of those lost to project construction, and;</li> <li>Non-native species relative cover shall be no</li> </ul>				
		more than 5% through the term of the restoration.				
		The mitigation project shall be initiated prior to development of the Project, and shall be implemented over a five-year				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		period following occupancy or until			•	
		performance standards are met,				
		whichever period is longer. The				
		mitigation project shall incorporate an				
		iterative process of annual monitoring				
		and evaluation of progress, and allow for				
		adjustments to the Plan, as necessary, to				
		achieve desired outcomes and meet				
		performance standards. Annual reports				
		discussing the implementation,				
		monitoring, and management of the mitigation project shall be submitted to				
		LACDRP. Five years after the start of				
		the mitigation project, a final report shall				
		be submitted to LACDRP, which shall at				
		a minimum discuss the implementation,				
		monitoring and management of the				
		mitigation project over the five-year				
		period, and indicate whether the				
		mitigation project has, in part, or in				
		whole, been successful based on				
		established performance standards. The				
		annual reports and the final report shall				
		include as-built plans submitted as an				
		appendix to the report. The mitigation				
		project shall be extended if performance				
		standards have not been met to the				
		satisfaction of LACDRP at the end of the				
		five-year period.				
5.3-3	<b>Biological Resources</b>	Pre-construction Biological Surveys and	A. Conduct	Prior to	Applicant /	County of Los
		Biological Monitoring	weekly pre-	issuance of	biological	Angeles Department
		Prior to commencement of ground or	construction	grading permit,	consultant	of Regional Planning

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-3	Biological Resources	vegetation disturbing activities, including but not limited to grading, pond maintenance, and landscaping activities in native chaparral, coastal sage scrub, riparian, or aquatic habitats, as well as in landscaped areas, a qualified biologist shall conduct weekly pre-construction surveys for special-status wildlife species beginning no less than thirty (30) and ending no more than three (3) days prior to the commencement of disturbance. The pre-disturbance surveys shall incorporate methods to detect the special-status wildlife species that could potentially occur at the site. To the extent feasible, special-status species shall be avoided. If avoidance is not feasible, the species shall be captured and transferred to an appropriate habitat and location where they would not be harmed by project activities. Two-striped garter snakes shall be relocated to permanent aquatic habitats that are downstream and as close as feasible to the Project site.	B. Prepare letter report to LACDRP, CDFW, and USFWS, if applicable, on special-status species avoidance measures	ongoing searches thereafter  Prior to issuance of grading permit, ongoing searches thereafter	Applicant / biological consultant / biological consultant	California Department of Fish and Wildlife  United States Fish and Wildlife Service  County of Los Angeles Department of Regional Planning  California Department of Fish and Wildlife  United States Fish and Wildlife Service
5.3-4	Biological Resources	Pre-construction Surveys for Shoulderband Snails Prior to construction of the Project, a qualified biologist shall conduct a habitat assessment to locate all suitable chaparral, coastal sage scrub, and coastal scrub habitats within and directly	A. Conduct habitat assessment by qualified biologist	Prior to the issuance of a grading permit. To be repeated at two-year intervals until construction is complete.	Applicant / biological consultant	County of Los Angeles Department of Regional Planning

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		adjacent to the limits of disturbance that may potentially support the Trask shoulderband snail (Helminthoglypta traskii traskii). Prior to ground or vegetation disturbing activities, a terrestrial snail specialist shall conduct surveys in suitable habitats for the Trask shoulderband snail.	_	Prior to the issuance of a grading permit. To be repeated at two-year intervals until construction is complete.	Applicant / biological consultant	County of Los Angeles Department of Regional Planning
		The surveys shall be conducted in the winter to maximize the potential for detecting live snails. The project area shall be subject to a minimum of five (5) visual surveys, preferably spaced one (1) week apart, although surveys spaced more frequently may be acceptable in order to take advantage of wet weather. Surveys may be conducted during periods of rain, dense fogs, or heavy dews, but shall not be conducted during dry weather conditions.	C. Prepare and submit report to LACDRP	Prior to the issuance of a grading permit. To be repeated at two-year intervals until construction is complete.	Applicant / biological consultant	County of Los Angeles Department of Regional Planning
		Each survey shall involve a general search for key features and likely places for snails followed by more intensive searching of areas with key habitat features. Surveys shall focus on careful examination of soil, leaf litter, downed wood, debris piles, beneath rocks and vegetation, and the undersides of branches and leaves. The U.S. Fish and Wildlife Morro shoulderband snail				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		(Helminthoglypta walkeriana) Protocol Survey Guidelines (June 2003) may be referred to for additional guidance on surveying for Helminthoglypta snails.				
		If Trask shoulderband snails are found, they shall be moved to suitable habitat on the Malibu Institute property, such that the snails would not be subject to direct or indirect harm by the project, and would not migrate back into the project area. Handling time shall be minimized and attractants shall not be used, so as to avoid inadvertently attracting vandals or predators of the snail.				
		The survey shall be valid for two years. Following the two-year period, surveys shall be required prior to new ground or vegetation disturbance in suitable habitat.				
		Prior to the issuance of a grading permit, the surveying biologist shall provide a report to LACDRP covering the survey methods and results, including maps, photographs, and field notes documenting the area surveyed and any Trask shoulderband snails that were identified and relocated.				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-5	Biological Resources	Capture, Management, and Release of Western Pond Turtles  A Western Pond Turtle Mitigation and Monitoring Plan for the avoidance of impacts to the western pond turtle shall be prepared by a qualified biologist and approved by LACDRP and the CDFW prior to issuance of the grading permit for the Project. The Plan shall involve the capture of all western pond turtles at the Project site, the temporary containment and maintenance of the captured turtles at a suitable on-site or off-site location, and the release of the turtles back to the ponds at an appropriate time when the ponds would provide suitable habitat and the turtles would no longer be threatened by Project activities. The Plan shall at a minimum specify the following:  • timing and methods of capture and removal of the turtles, and turtle eggs if applicable, from the golf course ponds and elsewhere within the Project limits;  • site conditions necessary for the release of the turtles back to the ponds;  • methods for release to the ponds;	submit a Western Pond Turtle Mitigation and Monitoring Plan	Prior to issuance of grading permit  Annually, beginning one year subsequent to initiation of construction until five years after construction or until performance standards have been met, whichever period is longer	Applicant / biological consultant  Applicant / biological consultant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife  Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife
		<ul> <li>monitoring program to document the status and condition of the</li> </ul>				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		turtle population following the release of the turtles back into the ponds;				
		<ul> <li>a schedule and action plan for monitoring and reporting on the status of the turtle mitigation project;</li> </ul>				
		<ul> <li>criteria and performance standards by which to measure success; and,</li> </ul>				
		<ul> <li>contingency measures in the event that the mitigation effort is not successful.</li> </ul>				
		Alternatively, if feasible, the temporary containment of all or part of the turtle population at the golf course ponds may be avoided if it can be demonstrated that				
		the timing and duration of the period that the ponds would be unsuitable for the species (i.e., lacking water, cover, or				
		food supply) coincides with the seasonal periods that the turtles would move to				
		upland habitats and if the safe dispersal of the turtles between the ponds and the native habitats in the surrounding area				
		could be ensured throughout Project construction. In this case, the Plan shall also specify the timing and duration of				
		the period that the ponds would be unsuitable and methods and monitoring				
		activities to ensure that both direct impacts to individuals and the population				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		of turtles at the Project site would be avoided.  Annual reports discussing the implementation, monitoring, and management of the western pond turtle mitigation project shall be submitted to LACDRP and the CDFW. The fifth annual report shall discuss the implementation, monitoring and management of the mitigation project and indicate whether the mitigation project has, in part, or in whole, been successful based on established performance standards. If performance standards have been satisfied, the mitigation shall be considered complete, and no further reporting shall be required. If performance standards have not been met, mitigation efforts shall be extended, with the incorporation of contingency measures, as identified in the Western Pond Turtle MMP.				
5.3-6	Biological Resources	Special-Status Roosting Bats  To avoid the direct loss of bats that could result from removal of trees or structures that may provide maternity roost habitat (e.g., in cavities or under loose bark) or structures that contain a hibernating bat colony, the following steps shall be	A. Conduct bat surveys	Prior to issuance of grading or demolition permit	Applicant / biological consultant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife
		taken:	B. Prepare and Present Letter	Prior to issuance of	Applicant / biological	Los Angeles County Department of

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		of the maternity roosting season.  If trees must be removed during the maternity season (March 1 to September 30), or structures must be removed at any time of the year, a qualified bat specialist shall conduct a pre-construction survey to identify those trees or structures proposed for disturbance that could provide hibernacula or nursery colony roosting habitat for bats.  Each tree or structure identified as potentially supporting an active maternity roost and each structure potentially supporting a hibernating colony shall be closely inspected by the bat specialist no greater than 7 days prior to disturbance to the tree or structure to more precisely determine the presence or absence of roosting bats.	Report to LACDRP and CDFW	grading or demolition permit	consultant	Regional Planning  California  Department of Fish  and Wildlife
			buildings if bat surveys determine that bats are absent, install and maintain exclusionary devices	Prior to demolition activities, and maintained during construction	Applicant / biological consultant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife
			D. Monitor the removal of trees and buildings with significant roosting bat potential	During construction and demolition	Applicant / biological consultant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife
		If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		year, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw. In order to ensure the optimum warning for any roosting bats that may still be present, the tree shall be pushed lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree shall then be pushed to the ground slowly and shall remain in place until it is inspected by a bat specialist. Trees that are known to be bat roosts shall not be sawn up or mulched immediately. A period of at least 48 hours shall elapse prior to such operations to allow bats to escape. Bats shall be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building.				
		Maternity season lasts from March     to September 30. Trees or     structures determined to be     maternity roosts shall be left in     place until the end of the maternity     season. A structure containing a				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		hibernating colony shall be left in place until a qualified biologist determines that the bats are no longer hibernating.				
		The bat specialist shall document all demolition monitoring activities and prepare a summary report to the County upon completion of tree disturbance or building demolition activities.				
5.3-7	Biological Resources	Bat Relocation If confirmed occupied or formerly occupied bat roosting habitat is destroyed, artificial bat roosts of comparable size and quality shall be constructed and maintained at a suitable undisturbed area, preferably on the	A. Design and locate artificial bat roosts, if needed	Prior to issuance of grading and demolition permits	Applicant / biological consultant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife
		Malibu Institute property. The design and location of the artificial bat roosts shall be determined by the bat specialist in consultation with CDFW.  In exceptional circumstances, such as when roosts cannot be avoided and bats	B. Capture and transfer bats, if needed	Prior to issuance of grading and demolition permits	Applicant / biological consultant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife
		cannot be evicted by non-invasive means, it may be necessary to capture and transfer the bats to appropriate natural or artificial bat roosting habitat in the surrounding area. Bats raising young or hibernating shall not be captured and relocated. Capture and relocation shall be performed by the bat specialist in coordination with CDFW, and shall be	C. Prepare and submit annual monitoring reports to LACDRP and CDFW	Annually for five years following relocation or until performance standards are met, whichever	Applicant / biological consultant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		subject to approval by LACDRP and CDFW.  A monitoring plan shall be prepared for the replacement roosts, which shall include performance standards for the use of the replacement roosts by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats.  Annuals reports detailing the success of roost replacement and bat relocation shall be prepared and submitted to LACDRP and CDFW for five years following relocation or until performance		period is longer	Tarry	
5.3-8	Biological Resources	standards are met, whichever period is longer.  Nesting Bird Surveys Proposed project activities including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates shall occur outside of the avian breeding season	A. Conduct weekly preconstruction bird or nest surveys	From 30 – 3 days prior to disturbance to nesting habitat.	Applicant / biological consultant	Los Angeles County Department of Regional Planning  California Department of Fish
		which generally runs from February 1-August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs or young resulting from	B. Delay project activities within 300 or 500 ft. of nests or nesting habitat until August 31 or	During construction (February 1 through August 31)	Applicant / biological consultant	and Wildlife  Los Angeles County  Department of  Regional Planning  California  Department of Fish  and Wildlife

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		disturbances which cause abandonment of active nests. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates is warranted.  If avoidance of the avian breeding season is not feasible, beginning thirty days	until nests are vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting.	During construction (February 1 through August 31)	Applicant / biological consultant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife
		prior to the initiation of construction activities, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed, including but not limited to site preparation, grading, construction, tree removal, landscaping removal, pond or detention basin maintenance, or building demolition and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of project activities. If a protected native bird is found, the project proponent shall delay all project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the	C. Submit	During construction (February 1 through August 31)	Applicant / biological consultant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		qualified biologist could continue the surveys in order to locate any nests.				
		If an active nest is located, project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate a buffer of 300 feet (or 500 feet) between the project activities and the nest. Project personnel, including all contractors working on site, shall be instructed on the sensitivity of the area. The project proponent shall provide LACDRP the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native				
		birds.  If the biological monitor determines that a narrower buffer between the project activities and observed active nests is warranted, he / she shall submit a written explanation as to why (e.g., speciesspecific information; ambient conditions and birds' habituation to them; and the				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		terrain, vegetation, and birds' lines of sight between the project activities and the nest and foraging areas) to LACDRP and, upon request, CDFW. Based on the submitted information, LACDRP (and CDFW, if CDFW requests) will determine whether to allow a narrower buffer.				
		The biological monitor shall be present on site during all grubbing and clearing of vegetation to ensure that these activities remain outside the demarcated buffer and that the flagging / stakes / fencing is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to project activities. The biological monitor shall send weekly monitoring reports to LACDRP during the grubbing and clearing of vegetation, and shall notify LACDRP immediately if project activities damage active avian nests.				
5.3-9	Biological Resources	The following measures shall be implemented during the construction phase to avoid impacts to ESHAs and other sensitive habitats located adjacent to the Project limits of disturbance, as	A. Demarcate the Project limits of disturbance	Prior to issuance of grading permit and during construction	Applicant / biological consultant	Los Angeles County Department of Regional Planning
		well as the flora and fauna associated with the ESHAs:	B. Install and maintain exclusionary	Prior to issuance of grading permit	Applicant / biological consultant	Los Angeles County Department of Regional Planning

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		construction activities, the Applicant shall demarcate the Project limits of Prior to all ground disturbing and disturbance with sturdy exclusionary	fencing	and during construction	Applicant / biological consultant	
		fencing to prevent encroachment of Project activities into native habitats adjacent to the Project limits of disturbance and to dissuade wildlife from entering the construction area. The	C. Add flagging and signage to fencing	Prior to issuance of grading permit and during construction	Applicant / biological consultant	Los Angeles County Department of Regional Planning
		fencing shall be marked with highly visible flagging and signed as a sensitive area. The LACDRP shall verify the fencing has been correctly installed prior to the start of ground disturbance or construction activities. The temporary fencing shall be routinely inspected and	D. Monitor ground disturbing and construction activities within 100 feet of sensitive native habitats	During construction	Applicant / biological consultant	Los Angeles County Department of Regional Planning
		maintained in functional condition for the duration of Project construction.  a) All construction and maintenance activities, except in an emergency,	E. Limit activities to designated hours	During construction	Applicant / biological consultant	Los Angeles County Department of Regional Planning
		shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday.  b) If construction lighting is required, then lighting shall be pointed away from native habitats and shall be pointed downward and shielded to the extent practicable.	F. Direct and shield construction lighting if required	During construction	Applicant / biological consultant	Los Angeles County Department of Regional Planning
		c) All on-site construction equipment shall have properly operating mufflers.				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		d) All pets shall be on a leash and shall not be allowed to enter native habitats at the Project site.				
		e) All food-related trash shall be disposed of in closed containers.				
5.3-10	Biological Resources	Invasive Plant Species and Landscaping, Bio-detention Basins, and Bio-swales.  Prior to the issuance of a grading permit,	A. Submit approved Landscaping Plan	Prior to issuance of grading permit	Applicant / biological consultant	Los Angeles County Department of Regional Planning
		a Landscaping Plan shall be reviewed and approved by LACDRP to ensure that only non-invasive ornamental plant species or appropriate native plant species are used in landscaping, biodetention basins, and bio-swales in future development of the project site. The review shall include a comparison of proposed plants with the following lists of invasive plant species: the California Invasive Plant Inventory (California Invasive Plant Council 2006, 2007), the California Invasive Plant Council Watchlist (December 2011), the Federal Noxious Weed List (December 10, 2010), the California Department of Food and Agriculture Pest Ratings of Noxious Weed Species and Noxious Weed Seed (January 2010), the Significant Ecological Area Draft Design Manual list of "L.A. County Non-Native Species to Avoid in Landscaping,"	B. Adhere to approved landscaping plan	Life of Project	Applicant	Los Angeles County Department of Regional Planning

#	Environmental Factor	Mitigation	Action Rec	quired	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		(December 2012), and the draft Santa Monica Mountains Local Coastal Program list of "Plants to Avoid in the Santa Monica Mountains."					
		The Landscaping Plan shall include all plant species that would be planted as part of the proposed project, including but not limited to plant species that would be planted within bio-detention basins and bio-swales and the drought-tolerant grasses for the golf course. Species used in bio-detention basins and bio-swales shall be locally-indigenous natives. Drought-tolerant grasses for the golf course shall be non-invasive and shall not be capable of hybridizing with native grasses in the surrounding habitat. LACDRP shall conduct site inspections to ensure the appropriate plant materials have been planted and are maintained					
		through the life of the project.					
5.3-11	Biological Resources	Pest and Invasive Species Management Plan  A Pest and Invasive Species Management Plan shall be developed and implemented that emphasizes	A. Prepare submit I Invasive Species Manage Plan	Pest and	Prior to grading permit, then updated every ten years	Applicant / biological consultant	Los Angeles County Department of Regional Planning
		eradication and control of problem species within the development limits and fuel modification zones, including pests that interfere with the management	B. Impleme and Inva Species Manage	asive	Beginning with commencement of ground disturbance and	Applicant / biological consultant	Los Angeles County Department of Regional Planning

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		goals of the Malibu Institute and invasive plant and animal species that could adversely affect the quality of native habitats at the Project site and in the	Plan	continuing for life of project	Applicant / biological consultant	Los Angeles County Department of Regional Planning
		surrounding area. If invasive species from the Project site spread to natural areas, control of invasive species shall extend to those areas as well. The Plan shall incorporate sustainable methods, avoid or minimize the use of chemical fertilizers, insecticides, herbicides, fungicides, and rodenticides, and ensure that toxic chemicals or excessive nutrient loads do not adversely affect native habitats and wildlife. Success criteria shall be tied to the control and eradication of problem species, and the lack of adverse effects of pest management practices and fertilizer use on sensitive species and habitats both at the Project site and in the surrounding area, including downstream from the Project site. The Plan shall allow for adaptation of management strategies, as necessary, and shall include periodic monitoring, reporting, and evaluation of progress. In broad terms, the Plan shall at a minimum include:	C. Prepare monitoring reports	Biannually, beginning one year subsequent to commencement of ground disturbance for life of project	Applicant / biological consultant	Los Angeles County Department of Regional Planning
		<ul> <li>Specific objectives;</li> <li>Target species and problem areas;</li> </ul>				

• S • M • W • O	rioritization of threats; uccess criteria; Management strategies that rould prevent the establishment f problem species;				
aı sı • Ir • M	mplementation plan; Ionitoring plan; and,				
The Plan be limited conditions  Use inse fung min Pess with shal aqu app ove app con	shall incorporate but shall not d to the following practices and s:  e of chemical fertilizers, ecticides, herbicides, and gicides shall be avoided or nimized; ticides and herbicides used hin or near aquatic habitats and shall be designated for use in atic habitats and shall be lied with techniques that avoid r-spraying and control lication to avoid excessive centrations.				
	The Plan be limited condition  Use inse fun, min  Pes with sha aqu app ove app con  Bio sha	species; Implementation plan; Monitoring plan; and, Contingency measures.  The Plan shall incorporate but shall not be limited to the following practices and conditions:  Use of chemical fertilizers, insecticides, herbicides, and fungicides shall be avoided or minimized; Pesticides and herbicides used within or near aquatic habitats shall be designated for use in aquatic habitats and shall be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Biological and organic controls shall be used to the maximum	species; Implementation plan; Monitoring plan; and, Contingency measures.  The Plan shall incorporate but shall not be limited to the following practices and conditions:  Use of chemical fertilizers, insecticides, herbicides, and fungicides shall be avoided or minimized; Pesticides and herbicides used within or near aquatic habitats shall be designated for use in aquatic habitats and shall be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Biological and organic controls shall be used to the maximum	species; Implementation plan; Monitoring plan; and, Contingency measures.  The Plan shall incorporate but shall not be limited to the following practices and conditions:  Use of chemical fertilizers, insecticides, herbicides, and fungicides shall be avoided or minimized; Pesticides and herbicides used within or near aquatic habitats shall be designated for use in aquatic habitats and shall be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Biological and organic controls shall be used to the maximum	species; Implementation plan; Monitoring plan; and, Contingency measures.  The Plan shall incorporate but shall not be limited to the following practices and conditions:  Use of chemical fertilizers, insecticides, herbicides, and fungicides shall be avoided or minimized; Pesticides and herbicides used within or near aquatic habitats shall be designated for use in aquatic habitats and shall be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Biological and organic controls

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<ul> <li>Water quality shall be monitored and water quality test results evaluated with respect to potential adverse effects on sensitive species and habitats;</li> <li>Chemical pesticides and fertilizers shall be limited to the immediate vicinity of buildings and exotic landscape plantings;</li> <li>Bt (Bacillus thuringiensis kursaki) or non-native predatory snails (i.e., decollate snails) shall not be used for pest control;</li> <li>Rodent eradication efforts shall emphasize the use of traps and shall avoid chemical controls, unless otherwise directed by the Department of Health Services (DOHS);</li> <li>Anticoagulant rodenticides shall not be used, as they are a risk to non-target species and have been identified as a factor in the deaths of large predators in the Santa Monica Mountains; and,</li> <li>Application of non-anticoagulant rodenticides shall be limited to the vicinity of buildings, facilities, and developed areas and shall not extend to the landscaped areas on the golf course grounds.</li> </ul>				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		The Plan shall be adhered to for the life of the Project and shall be updated every ten years. The Plan shall be prepared by qualified specialists in coordination with personnel responsible for pest and invasive species management at the Malibu Institute, and shall be approved by the Director of Planning prior to issuance of a grading permit for the Project. Implementation of the Plan shall begin with commencement of ground disturbance for the project. Biannual reports shall be prepared by a qualified specialists, which document methods, treatments, and monitoring, and evaluate the implementation of the Plan and whether success criteria have been met. The reports shall be submitted by December 31 to the Los Angeles County Director of Planning for review		Occur .	Tarty	
		who will ensure the Plan has been fully implemented and that the success criteria have been met.				
5.3-12	Biological Resources	Prior to issuance of the grading permit, the Applicant shall prepare and submit to the USACE for verification a "Preliminary Delineation Report for "waters of the U.S."" and a Streambed	submit a "Preliminary Delineation	Prior to issuance of grading permit	Applicant	California Department of Fish and Wildlife
		Alteration Notification package to the CDFW for alterations to USACE jurisdictional "waters of the U.S." and CDFW jurisdictional streambed and	Report for waters of the U.S."			United States Army Corps of Engineers  Regional Water Quality Control

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-12	Biological Resources	habitat. A Clean Water Act Section 404 permit shall be obtained from the USACE, and the Applicant shall comply with the permit conditions. A Streambed Alteration Agreement shall be entered into with the CDFW under Section 1602 of the California Fish and Game Code,	A. Prepare and submit a "Preliminary Delineation Report for waters of the U.S."	Prior to issuance of grading permit	Applicant	Board
		and the Applicant shall comply with the associated conditions. A Clean Water Act Section 401 Water Quality Certification shall be obtained from the RWQCB, and the Applicant shall comply with the certification conditions. Mitigation for unavoidable impacts to	B. Prepare and submit a Streambed Alteration Notification package to the CDFW	Prior to issuance of grading permit	Applicant	California Department of Fish and Wildlife
		USACE jurisdictional "waters of the U.S." and CDFW jurisdictional streambed and habitat shall be provided through implementation of the Habitat Mitigation and Monitoring Program, as	C. Obtain Clean Water Act Section 404 permit from USACOE	Prior to issuance of grading permit	Applicant	United States Army Corps of Engineers
		required by MM5.3-13.	D. Obtain Section 1602 Streambed Alteration Agreement from CDFW	Prior to grading permit	Applicant	California Department of Fish and Wildlife
			E. Obtain Clean Water Act Section 401 Water Quality Certification from RWQCB	Prior to grading permit	Applicant	Regional Water Quality Control Board

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-13	Biological Resources	The Project shall implement the requirements of the final approved Habitat Mitigation and Monitoring Program, which shall mitigate for permanent impacts to 0.032 acres of CDFW jurisdictional habitat, 0.002 acres of USACE wetland "waters of the United States", and 0.03 acres of USACE nonwetland "waters of the United States" at a 2:1 ratio. Due to the overlap of the jurisdictional areas that would be permanently impacted, a total of 0.032 acres consisting of 0.002 acres of wetland "waters of the United	A. Prepare and Submit Final Habitat Mitigation and Monitoring Program to LACDRP, ACOE, CDFW, and RWQCB	Prior to grading permit	Applicant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife  United States Army Corps of Engineers  Regional Water Quality Control Board
		States"/CDFW jurisdictional habitat and 0.03 acres of non-wetland "waters of the United States"/C  DFW jurisdictional habitat shall be mitigated.  Also as part of the Habitat Mitigation and Monitoring Program, the Project shall mitigate for temporary impacts to 4.42 acres of CDFW jurisdictional habitat, 2.19 acres of USACE wetland "waters of the United States", 1.63 acres of USACE non-wetland "waters of the United States", and 4.10 acres of single-parameter wetlands at a 2:1 ratio. Due to the overlap of jurisdictional areas that would be temporarily impacted, a total of	B. Implement Final Approved Habitat Mitigation and Monitoring Program	To be implemented over a five-year period, and initiated prior to development of the Project if feasible, but shall not interfere with Project development or the planned eradication of invasive animals from aquatic habitats at the site.	Applicant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife  United States Army Corps of Engineers  Regional Water Quality Control Board

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		4.42 acres consisting of 0.32 acres of CDFW jurisdictional habitat, 0.28 acres of CDFW jurisdictional habitat/single-parameter wetlands, 2.19 acres of USACE wetland "waters of the United States"/CDFW jurisdictional habitat/single-parameter wetlands, and 1.63 of non-wetland "waters of the United States"/CDFW jurisdictional habitat/single-parameter wetlands shall be mitigated.  The Habitat Mitigation and Monitoring Program shall mitigate for permanent and temporary impacts to jurisdictional areas by the on-site or off-site restoration of degraded in-kind wetland and riparian habitats, or by a contribution to an in-lieu fee program approved by the LACDRP, USACE, and the CDFW. Restoration should be implemented only where suitable conditions exist to support viable wetland and riparian habitat. If the mitigation will be performed off-site, to the extent feasible the restoration should be implemented within the Trancas Canyon Watershed. Also to the extent feasible, in-lieu fees shall be used for the restoration of in-kind wetland and riparian habitat within the Trancas Canyon Watershed.	C. Prepare and submit annual and final monitoring reports	Annual Reports shall be provided for a minimum of five years with the first report due within a year of the HMMP initiation. The fifth annual report shall be the final report, unless success criteria have not been met to the satisfaction of the Director of Regional Planning, USACE, and the CDFW.	Applicant	Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife  United States Army Corps of Engineers  Regional Water Quality Control Board

The final Habitat Mitigation and Monitoring Program shall be developed by a qualified biologist, restoration ecologist or resource specialist and submitted to and approved by the LACDRP, USACE, RWQCB, and CDFW, in compliance with Clean Water Act Sections 401 and 404 and California	#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
Fish and Game Code 1602 and supporting regulations, prior to issuance of a grading permit for the Project. The Program shall be based on the USACE Final Mitigation Guidelines and Monitoring Requirements (April 19, 2004) and the Los Angeles District's Recommended Outline for Draft and Final Compensatory Mitigation and Monitoring Plans. In broad terms, this Program shall at a minimum include:  • Description of the project/impact and mitigation sites; • Specific objectives; • Success criteria; • Plant palette; • Implementation plan; • Maintenance activities; • Monitoring plan; and • Contingency measures.  Success criteria shall at a minimum be evaluated based on appropriate survival			Monitoring Program shall be developed by a qualified biologist, restoration ecologist or resource specialist and submitted to and approved by the LACDRP, USACE, RWQCB, and CDFW, in compliance with Clean Water Act Sections 401 and 404 and California Fish and Game Code 1602 and supporting regulations, prior to issuance of a grading permit for the Project. The Program shall be based on the USACE Final Mitigation Guidelines and Monitoring Requirements (April 19, 2004) and the Los Angeles District's Recommended Outline for Draft and Final Compensatory Mitigation and Monitoring Plans. In broad terms, this Program shall at a minimum include:  • Description of the project/impact and mitigation sites; • Specific objectives; • Success criteria; • Plant palette; • Implementation plan; • Maintenance activities; • Monitoring plan; and • Contingency measures.  Success criteria shall at a minimum be				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		species, as well as eradication and control of invasive plant and animal species within the restoration area.				
		The target species and native plant palette, as well as the specific methods for evaluating whether the project has been successful at meeting the abovementioned success criteria shall be determined by the qualified biologist, restoration ecologist or resource specialist and included in the mitigation program.				
		To the extent possible, the mitigation project or in-lieu fee contribution shall be initiated prior to development of the Project. If the compensatory mitigation involves the restoration of on-site wetland and riparian habitats that were removed or disturbed by project grading or pond maintenance, the mitigation project shall be initiated as the earliest possible date, but shall not interfere with project development or the planned eradication of invasive animals from				
		aquatic habitats at the site. The mitigation project shall be implemented over a five-year period and shall incorporate an iterative process of annual monitoring and evaluation of progress and allow for adjustments to the				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		program, as necessary, to achieve desired				
		outcomes and meet success criteria.				
		Annual reports discussing the				
		implementation, monitoring, and				
		management of the mitigation project				
		shall be submitted to the LACDRP,				
		USACE, and the CDFW. Five years				
		after project start, a final report shall be				
		submitted to the LACDRP, USACE, and				
		CDFW, which shall at a minimum				
		discuss the implementation, monitoring				
		and management of the mitigation				
		project over the five-year period, and				
		indicate whether the mitigation project has, in part, or in whole, been successful				
		based on established success criteria.				
		The annual reports and the final report				
		shall include as-built plans submitted as				
		an appendix to the report. The project				
		shall be extended if success criteria have				
		not been met at the end of the five-year				
		period to the satisfaction of the Director				
		of Regional Planning, USACE, and the				
		CDFW.				
5.4-1	Cultural Resources	A protective fence shall be installed and	Installation of	Prior to	Applicant	County of Los
		maintained surrounding site CA-LAN-	protective fencing	issuance of		Angeles Department
		527 prior to all earth moving activities		grading permit		of Regional Planning
		that occur within 100-feet of the site		for the golf		
		(within the existing fairway for Hole		course area		
		#18, approximately 100 feet from the				
		green).				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.4-2	Cultural Resources	A qualified archaeologist shall monitor all stripping and other earthmoving activities occurring within 100-feet of site CA-LAN-527 (within the existing fairway for Hole #18, approximately 100	A. Field monitoring	During stripping and earthmoving activities at this location	Applicant, Archaeological Monitor	County of Los Angeles Department of Regional Planning
		feet from the green).	B. Maintain log demonstrating compliance	During stripping and earthmoving activities at this location	Applicant, Archaeological Monitor	County of Los Angeles Department of Regional Planning
5.4-3	Cultural Resources	In the event unknown archaeological resources are discovered during Project construction, all ground-disturbing activities within the vicinity of the find	A. Field monitoring	During stripping and earthmoving activities.	Applicant, Archaeological Monitor	County of Los Angeles Department of Regional Planning
		shall cease until a qualified archaeological or paleontological monitor inspects the resources, identifies appropriate treatment, and documents the resource as necessary. The archaeologist shall record all recovered archaeological resources on the appropriate California Department of Parks and Recreation Site Forms to be filed with the California Historical Resources Information System—South Central Coastal Information Center, evaluate the significance of the find, and if significant, determine and implement the appropriate mitigation in accordance with the U.S. Secretary of the Interior and California Office of Historic Preservation guidelines, including but	B. Maintain log demonstrating compliance	During stripping and earthmoving activities	Applicant, Archaeological Monitor	County of Los Angeles Department of Regional Planning

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		not limited to a Phase III data recovery				
		and associated documentation. The				
		archaeologist shall prepare a final report about the find to be filed with the				
		Applicant, the County of Los Angeles				
		Department of Regional Planning, and				
		the California Historical Resources				
		Information System–South Central				
		Coastal Information Center, as required				
		by the California Office of Historic				
		Preservation. The report shall include				
		documentation of the resources				
		recovered, a full evaluation of the				
		eligibility with respect to the California				
		Register of Historical Resources, and				
		treatment of the resources recovered. In				
		the event of a find, archaeological and				
		Native American monitoring shall be				
		provided thereafter for any ground-disturbing activities within the boundary				
		of the archaeological site.				
5.4-4	Cultural Resources	In the event human remains are	A. Maintain	During	Applicant/	County of Los
		encountered during construction	documentation	construction	Construction	Angeles Department
		activities, all ground-disturbing activities	demonstrating		Manager/	of Regional Planning
		within the area of the human remains	compliance		Qualified	
		shall cease and the County coroner shall			Archaeologist	
		be notified. In the event the remains are	B. Native	During	Applicant/	County of Los
		determined to be of Native American	American	construction	Construction	Angeles Department
		descent, the coroner shall notify the	monitoring as		Manager/	of Regional Planning
		California Native American Heritage	applicable		Qualified	Native American
		Commission within 24 hours. The	a at t	<u> </u>	Archaeologist	Heritage Commission
		Native American Heritage Commission	C. Site inspection	During	Applicant/	County of Los

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		shall identify the person(s) thought to be the Most Likely Descendant of the deceased Native American, who shall have 48 hours from notification by the Native American Heritage Commission to inspect the site of the discovery of Native American remains and to recommend to the Applicant or landowner means for the treatment and disposition of the human remains and any associated grave goods. The Applicant or landowner shall reinter the remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance. In the event Native American remains are found, Native American monitoring shall be provided thereafter for any ground-disturbing activities in the area of the remains.	as needed	construction	Construction Manager/ Qualified Archaeologist	Angeles Department of Regional Planning
5.4-5	Cultural Resources	A paleontological monitor, supervised by a qualified paleontologist, shall monitor all excavation activities within previously undisturbed sedimentary soils (Quaternary Alluvium) in the lower lying central-southern portion of the site. If fossils are found, the paleontological monitor shall be authorized to halt the ground-disturbing activities within 25 feet of the find in order to allow evaluation of the find and determination of appropriate treatment in accordance	A.Paleontological monitoring  B. Maintain log demonstrating compliance	During excavation in the referenced areas  During excavation in the referenced areas	Applicant/ Construction Manager/ Qualified Paleontologist Applicant/ Construction Manager/ Qualified Paleontologist	County of Los Angeles Department of Regional Planning  County of Los Angeles Department of Regional Planning

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.7-1	Hazards/Hazardous Materials	with Society of Vertebrate Paleontology guidelines for identification, evaluation, disclosure, avoidance or recovery, and curation, as appropriate. Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations. The paleontologist shall prepare a final report on the monitoring. If fossils are identified, the report shall contain an appropriate description of the fossils, treatment, and curation. A copy of the report shall be filed with the Applicant, County of Los Angeles Department of Regional Planning, and the Natural History Museum of Los Angeles, and shall accompany any curated fossils.  If previously unidentified soil contamination is observed by sight or smell or indicated by testing by a qualified professional using a portable volatile organic compound analyzer during excavation and grading activities associated with removal of pond	A. Submit documentation summarizing the results of any soil testing and verify whether	During grading and excavation	Applicant/ Construction Manager/ Qualified Professional	County of Los Angeles Fire Department  South Coast Air Quality Management District
		sediments or in areas used for storage of fuels or pesticides, excavation and grading within such an area shall be temporarily halted and redirected around the area until the appropriate evaluation and follow-up measures are	applicable regulatory contaminant thresholds are met B. Evaluation,	Before grading	Applicant/	California Department of Toxic Substances Control, as applicable County of Los
		implemented, as contained in the South	management,	and excavation	Construction	Angeles Fire

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		Coast Air Quality Management District's Rule 1166, to make the area suitable for grading activities to resume. In the event contamination is found, the Applicant shall notify the Los Angeles County Fire Department, the South Coast Air Quality Management District, and/or the California Department of Toxic Substances Control, as applicable. The contaminated soil shall be evaluated and excavated/disposed of, treated in-situ (inplace), or otherwise managed and disposed of in accordance with all applicable federal, State, and local laws	and disposal, as applicable	can resume in the contaminated areas	Manager/ Qualified Professional	Department  South Coast Air Quality Management District  California Department of Toxic Substances Control, as applicable
5.7-2	Hazards/Hazardous Materials	and regulations.  Prior to the commencement of demolition of the abandoned residence/hunting lodge building, appropriate biological samples shall be collected and analyzed to determine if conditions represent a biological hazard (e.g. hantavirus) due to large amounts of rat feces and urine. Prior to entering the building, appropriate personal protection equipment shall be worn by all personnel.	Collection and analysis of biological samples	Prior to issuance of demolition permit	Applicant	County of Los Angeles Department of Public Health
5.7-3	Hazards/Hazardous Materials	All hazardous materials within the Project site shall be acquired, handled, used, stored, transported, and disposed of in accordance with all applicable federal, State, and local requirements.	Maintain log demonstrating compliance	During construction and operation	Applicant/ Construction Manager	County of Los Angeles Fire Department

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.7-4	Hazards/Hazardous Materials	Prior to any storage or usage of regulated hazardous materials on-site (including pool maintenance chemicals, fertilizers, herbicides, pesticides, insecticides, lubricants, etc.), the Applicant shall	A. Preparation and approval of a Hazardous Materials Business Plan	Prior to issuance of grading permit	Applicant, Safety Engineer	County of Los Angeles Fire Department
		obtain approval from the Los Angeles County Fire Department for a Hazardous Materials Business Plan (HMBP) covering the use and storage of all regulated hazardous chemicals and materials to be used and/or stored onsite. Qualified environmental personnel or safety engineers shall develop and implement a business plan and a health and safety plan in order to ensure that compliance issues regarding the proper containment, usage, disposal and transportation practices are used, if required.	B. Maintain log demonstrating compliance	During construction and operation	Applicant/ Construction Manager	County of Los Angeles Fire Department
5.7-5	Hazards/Hazardous Materials	Prior to occupancy, the payment of a Development Impact Mitigation Fee for the benefit of the Consolidated Fire Protection District would be required, for the purpose of supplementing funds for the acquisition, construction, improvement and equipping of facilities necessary to deliver fire protection services within the County. The fee shall be based on the applicable County of Los Angeles Developer Fee Program, last updated on November 26, 2013, to be effective February 1, 2014. The newly	Calculation and payment of Development Impact Mitigation Fee	Prior to issuance of certificate of occupancy	Applicant, Consolidated Fire Protection District of Los Angeles County	Consolidated Fire Protection District of Los Angeles County

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		adopted current Developer Fee for Area of Benefit 1, which includes the Project site, will provide for the collection of \$0.8990 per square foot for new floor area development. Administration and collection of the Developer Fee shall be the responsibility of the Consolidated Fire Protection District of Los Angeles County.				
5.8-1	Hydrology and Water Quality	All grading associated with the implementation of the Project shall take place within the previously disturbed areas of the existing Malibu Golf Club, including the fairways, tee boxes, and greens, as indicated in Figure 5.3-7.	Preparation of Grading Plans	Prior to issuance of Grading Permit	Applicant, Grading Contractor	County of Los Angeles Department of Regional Planning
5.8-2	Hydrology and Water Quality	The Project shall remove all septic tanks throughout the Project site with the exception of the septic tank serving the caretaker's house in the northern portion of the Project site, and shall install an onsite wastewater treatment system with effluent meeting Title 22 standards for reuse as irrigation for the remodeled golf course.	A. Submit final plans that indicate where existing septic tanks are located, and which ones are to be removed	Plan Check	Applicant	County of Los Angeles Department of Sanitation
			B. Install onsite Wastewater Recycling System	Prior to issuance of certificate of occupancy	Applicant	County of Los Angeles Department of Sanitation
5.10-1	Noise	All construction and general maintenance activities, except in an emergency, shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday	Limit construction and maintenance noise to designated hours, except for	During construction	Applicant, General Contractor	County of Los Angeles Department of Regional Planning

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		through Friday and the hours of 7:00 a.m. to 7:00 p.m. on Saturday. Construction activities shall be prohibited on Sunday and legal holidays except for emergency maintenance or	emergencies and maintain documentation demonstrating compliance			
5.10-2	Noise	repair.  All on-site construction equipment shall be equipped with noise shielding and muffling devices. All equipment shall be properly maintained in accordance with manufacturers' specifications to assure that no additional noise, due to worn or improperly maintained parts is generated.	Use properly maintained noise shielded, muffled equipment and maintain documentation demonstrating compliance	During construction	Applicant, General Contractor	County of Los Angeles Department of Regional Planning
5.10-3	Noise	All construction staging areas shall be located at least 500 feet from the nearest homes at which point peak noise levels would have diminished by at least 20 dB from their near-source maximum levels	Properly locate construction staging areas	During construction	Applicant, General Contractor	County of Los Angeles Department of Regional Planning
5.10-4	Noise	Use of outdoor amplified music, sounds, or public address systems shall cease by 10:00 p.m.	Provide employee education materials that describe this prohibition, provide such material to any vendor contracted to provide outdoor entertainment and maintain a log demonstrating compliance	During operations	Applicant	County of Los Angeles Department of Regional Planning

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.11.1-1	Public Services - Fire	The Project shall pay the fee required by the Consolidated Fire Protection District's Developer Fee Program for new residential and commercial construction to support fire stations and apparatus located within the City of Malibu that provide fire suppression and emergency services to the Project site, which is within Area of Benefit 1.	Pay fee required by the Consolidated Fire Protection District	Prior to issuance of building permit	Applicant	Consolidated Fire Protection District of Los Angeles County
5.11.1-2	Public Services - Fire	The Project shall comply with the applicable Uniform Fire Code (UFC) and LACFD ordinance requirements for development located in high fire danger areas regarding the following: building construction methods and materials; the ease of site access; the adequacy of water mains to maintain adequate fire-flow pressures and volumes; the location and numbers of fire hydrants; the use of indoor sprinklers and sensors; the revegetation of all manufactured slopes with fire retardant (native) landscaping; and brush clearance.	Comply with UFC and LACFD ordinances	Prior to issuance of building permit	Applicant	County of Los Angeles Fire Department
5.11.1-3	Public Services - Fire	The Applicant shall install and test, or bond for all required fire hydrants prior to recordation of the Final Map for the Project.	Install and test or bond for fire hydrants	Prior to issuance of building permit or recordation of Final Map, whichever occurs first	Applicant	County of Los Angeles Fire Department
5.11.1-4	Public Services - Fire	The Applicant shall obtain approval from LACFD of a final "Fuel Modification	Prepare and submit final Fuel	Prior to issuance of	Applicant	County of Los Angeles Fire

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		Plan" for the Project prior to commencement of construction.	Modification Plan	building permit		Department - Fuel Modification Unit
5.11.1-5	Public Services - Fire	The Applicant shall provide detailed site plan maps and facilities drawings of the completed facilities and areas for the Project to the LACFD, which clearly illustrate access routes, building recognition/identification numbers/names, addresses, building and parking structure floor plans, the locations of emergency exits, and any other pertinent information that would facilitate LACFD response.	Provide detailed site plan map and facilities drawings	Prior to issuance of building permit	Applicant	County of Los Angeles Fire Department
5.11.1-6	Public Services - Fire	The Project shall comply with all applicable State Fire Marshall requirements for the installation of fire alarms, firewalls and dampers, and detector devices.	Comply with applicable State Fire Marshall and County of Los Angeles Fire Department requirements	Prior to issuance of building permit	Applicant	California Department of Forestry and Fire Protection (CAL FIRE) County of Los Angeles Fire Department
5.13-1	Traffic and Access	The Project shall be required to contribute to the cost of implementing intersection improvements for the U.S. 101 SB ramps/Kanan Road intersection as identified in the Agoura Village Specific Plan EIR as a mitigation measure. The planned improvements would implement widening the northbound approach to provide a third through-lane and restriping the southbound approach to provide an	Contribute the Project's fair share contribution to the cost of implementing intersection improvements for the U.S. 101 SB ramps/Kanan Road intersection as identified in the	Prior to issuance of building permit	Applicant	County of Los Angeles Department of Regional Planning

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		additional left-turn lane. The westbound approach would also be widened to accommodate the dual southbound left-turns.	Agoura Village Specific Plan EIR			
		The Project would contribute a total of 51 peak hour trips to this intersection, which would represent four percent of the 1,123 peak hour trips added to this intersection by the related projects. Therefore, the Project's fair share contribution to these intersection improvements would be four percent of the estimated \$169,000 cost, which would be \$6,760.00.				
5.14-1-1	Public Utilities - Water Supply	The applicant shall install a detector check valve with its own pressure reducing valve parallel to the existing water meter and Pressure Reducing	Install detector check valve as required	Prior to issuance of building permit	Applicant	County of Los Angeles Fire Department
		Valve (PRV) on the Project site approved by the Department of Public Works in accordance with LVMWD standards in order to provide a fire flow on the Project site as required by the County of Los Angeles Fire Department. This development may require fire flows up to 3,000 gallons per minute at 20 pounds per square inch residual pressure for up to a three hour duration. A reduction in the required fire flow for this development can be determined based on the total square footage of the	Submit plans for all required fire protection systems (fire hydrants, fire department connection, standpipes, fire sprinklers, etc) for review and approval	Prior to issuance of building permit	Applicant	County of Los Angeles Fire Department

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.14.3-1	Public Utilities - Solid Waste Disposal	largest building, the type of constructions used, and if the building is equipped with an approved fire sprinkler system. The required fire flow cannot be reduced below 2,000 gallons per minutes at 20 pounds per square inch residual pressure for up to a two hour duration. All required public and private fire hydrants shall comply with the required fire flow. All required fire protection systems (fire hydrants, fire department connection, standpipes, fire sprinklers, etc) shall be reviewed and approved prior to building permit issuance.  The applicant shall implement a recycling program for the operational phase of the Project. The recycling program shall be monitored to ensure that the program advances along with technological advancements in waste management industry-wide. At a minimum the recycling program shall maintain existing levels of waste diversion with improvements in waste diversion over time that exceed existing levels and are in keeping with overall Countywide criteria. Some of the recycling criteria that shall be met or exceeded include:  • All green waste generated onsite (e.g. tree trimmings, brush	Implement recycling program and maintain documentation demonstrating compliance	During operations	Applicant	County of Los Angeles Department of Regional Planning

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
	Factor	clearance, grass, etc.) shall be either chipped and reused for pathways or landscaping (e.g. wood chips), or shall be composted onsite for use within the Project;  • Where trash receptacles are placed in common areas of the Project site for use by guests, clearly marked recyclable bins shall also be provided for beverage containers such as bottles and cans;  • Food waste shall be separated from other refuse and recyclable materials and composted onsite utilizing a worm bin to convert non-fatty food wastes into potting soil (called ermicompost) for onsite landscape maintenance use;  • Batteries, toner cartridges and other office tech equipment such as computer monitors, printers, and cell phones shall be recycled;  • Offices shall promote recycled paper usage that contains at least 30 percent recycled content and is Green Seal Certified;  • A Central Recycling Center		Occur	Party	of Tarty
		(CRC) shall be located on-site in an area where all of recycled materials are to be stored until				

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		transported to the processor, and will include roll-off containers for separation of various recycling commodities;  • The Project shall provide an onsite baler for all cardboard and newspaper, equipment to crush glass items and cans, and compactors for all other waste to minimize volumes;  • The Project shall provide bulk dispensing systems throughout the property for toiletry items such as soaps and shampoos to minimize packaging; and  • The Project shall provide cloth towel rolls or hand dryers in common area restrooms instead of paper towels.				